

MINUTES - REGULAR SELECTBOARD MEETING

TOWN OF BARNET, VERMONT

MONDAY, JANUARY 10, 2022

Meeting convened at 7:00 p.m. in-person at Barnet Fire & Rescue Station (151 Bimson Drive) and via GoToMeeting telephone/online conference. This meeting was recorded via GoToMeeting.

Board members participating in-person: Dylan Ford (presiding co-chair), Benjamin Gates, and Mark Jefferson.

Other Town officials and employees participating in-person: None.

Other Town officials and employees participating via GoToMeeting: Town Clerk Benjamin Heisholt

Members of the public participating in-person: Bryan Adams, Sandra Adams, Daniel Ehlers, Grace Gershuny, Eric Skovsted, and Mary Skovsted.

Members of the public participating via GoToMeeting: John Cook, Sarah Cook, and Mona Marceau.

1. Consideration of approval of minutes of regular meeting held December 27, 2021

- Mr. Jefferson moved to approve as presented the minutes of the regular meeting held December 27, 2021. Seconded by Mr. Gates and approved by voice vote.

2. Consideration of approval of minutes of special meeting held January 3, 2022

- Mr. Gates moved to approve as presented the minutes of the special meeting held January 3, 2022. Seconded by Mr. Jefferson and approved by voice vote.

3. Appearance by residents of Joe's Brook Road and Brook Hill Road regarding noise disturbance complaint; take any action

Joe's Brook Road residents Sandra and Bryan Adams, Grace Gershuny, and Mary and Eric Skovsted discussed complaints regarding noise disturbances originating from 176 Brook Hill Road. Daniel Ehlers of 176 Brook Hill Road also appeared to discuss this matter with the Board. These noise complaints originally were lodged by Ms. and Mr. Skovsted at the Board's previous meeting, at which Mr. Ehlers was not present. Mr. Ehlers complained of noise caused by an ice rink at Ms. and Mr. Skovsted's residence. The ice rink is permitted by a conditional use permit from the Zoning Board; Mr. Ehlers did not allege that the permit has been violated. Discussion ensued.

- The Board indicated that the appearance of this matter on the Board's agenda was to allow a venue for neighborly discourse and problem-solving only: the Board does not have jurisdiction to take any action.
- The Board indicated that it did not intend to adopt a noise ordinance.
- The Board encouraged Mr. Ehlers to cease creating excessive noise.

4. Consideration of, and take any action on, sign for Fire & Rescue Station

Mr. Gates indicated that he had not received any communication from Vermont Agency Transportation representative Shauna Clifford.

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

Mr. Chase did not participate in this meeting. In his absence, the Board discussed the below-described matters:

a. Consideration of, and take any action on, Town Garage moisture issue

Mr. Gates reported that Mr. Chase had requested quotes for a heat exchanger, as discussed at the previous meeting; no quotes have been received to date.

b. Consideration of, and take any action on, 2022 Certificate of Highway Mileage

The Board reviewed a 2022 certificate of highway mileage, which indicates all mileages as unchanged from 2021, at 0.00 miles of Class 1, 23.51 miles of Class 2, 58.46 miles of Class 3, 21.19 miles of state highway, 0.00 miles of Class 1 lane, 10.95 miles of Class 4, and 0.09 miles of legal trail.

- The Board agreed to sign the certificate; the Board signed the certificate.

c. Other business

No other business was discussed.

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

Ms. Ford reported that she had not heard a response from NEMRC regarding the Board's request for quotes for two different models of Lister/NEMRC shared task responsibilities.

7. Other business presented by other town officers

a. Zoning Administrative Officer Shirley Warden regarding recreational use of Town Forest

Ms. Ford reported that she had received an inquiry from Zoning Administrative Officer Shirley Warden, regarding a request for access to the Town Forest for recreational use. The Board noted that the use of the Town Forest is restricted due to public safety and liability considerations: hazardous areas in the Town gravel pit and former landfill are part of the Town Forest property and there are no boundaries separating these areas from the rest of the property.

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

Mr. Gates reported that there was no new information to discuss regarding this matter.

9. Other business presented by members of the public

a. Grace Gershuny regarding suggested Town Meeting article for use of Town Forest by Abenaki

Ms. Gershuny requested that the Board add an article to the 2022 Town Meeting warning reading, "*Shall the Town of Barnet grant permission to the Abenaki people to gather medicine, food, and art materials in our Town Forest. In the spirit of reconciliation and good relations we hereby acknowledge and regret the fact that Europeans took land from the Abenaki when they settled here.*" Discussion ensued.

The Board indicated that, as discussed earlier in this meeting, the use of the Town Forest is restricted due to public safety and liability considerations.

10. Consideration of, and take any action on, planning for 2022 Town Meeting

The Board discussed the passage in the Vermont legislature of S.172, which allows Selectboards of towns that normally conduct annual town meeting via floor vote to choose, for 2022 town meeting, either to vote via Australian ballot or postpone town meeting to a date later in the year. At the time of the meeting, the bill was awaiting the governor’s signature and was not yet in effect.

11. Consideration of, and take any action on, 2022 tax anticipation borrowing bids

The Board reviewed bids for tax anticipation borrowing for calendar year 2022. Bids received are summarized below.

	<u>Loan Amount</u>	<u>Loan Rate</u>	<u>Deposit Rate</u>	<u>Line of Credit Rate</u>
Mascoma Bank	\$685,107.97	1.85%	No bid	2.35%
Passumpsic Savings Bank:	\$685,107.97	1.39%	1.50%	1.14%
Union Bank:	\$685,107.97	0.65%	0.752%	0.99%

Treasurer Benjamin Heisholt presented an analysis of anticipated interest costs and earnings for each of the bids. Discussion ensued.

- Mr. Gates moved to accept the bid of Union Bank for a lump-sum loan of \$685,107.97 at a rate of 0.65% with reinvestment of proceeds in a deposit account with a rate of 0.752%. Seconded by Mr. Jefferson and approved by voice vote.

12. Consideration of, and take any action on, assessment of penalties for late-filed 2022 Homestead Declarations

The Board reviewed its decisions from 2017 through 2021, when it agreed to apply penalties in the maximum percentages allowable pursuant to 32 V.S.A. § 5410(g). Treasurer Benjamin Heisholt reviewed the content of 32 V.S.A. § 5410(g), which indicates that the Selectboard “may...include a penalty of up to three percent of the education tax on the property” of an owner who files a homestead declaration on property that does not meet the criteria of a homestead or of an owner who fails to file a homestead declaration on a property that does meet the criteria of a homestead. This particular penalty is only applicable when the above-described taxpayer errors are not to the taxpayer’s advantage. In instances when the taxpayer error is to the taxpayer’s advantage, the Selectboard may include a penalty of up to eight percent. Mr. Heisholt asked the Board how they would like to proceed with regard to these penalties in 2022. Discussion ensued.

- Ms. Ford moved to apply penalties in 2022 in the maximum percentages allowable pursuant to 32 V.S.A. § 5410(g). Seconded by Mr. Jefferson and approved by voice vote.

13. Consideration of, and take any action on, appointment of Selectboard liaison to Black River Design Architects for Town Hall project

The Board discussed the appointment of a Board member to act as liaison to Black River Design for the Town Hall project.

- Ms. Ford moved to appoint Mr. Gates as liaison to Black River Design for the Town Hall project. Seconded by Mr. Jefferson and approved by voice vote.

14. Consideration of, and take any action on, correspondence from Vermont Department of Taxes with 2021 equalization study results

The Board reviewed the study results, which were as summarized below:

Education Grand List: \$277,233,300

Equalized Education Grand List: \$254,386,526
Common Level of Appraisal: 108.98% or 1.0898
Coefficient of Dispersion: 9.92%

15. Consideration of, and take any action on, proposed 2022 Town General Fund budget

The Board continued its review, discussion and amendment of the 2022 General Fund budget.

16. Consideration of approval of outstanding check warrants

- The Board reviewed and approved all outstanding check warrants.

17. Other business presented by Selectboard

a. Use of Meeting Owl by other Town boards

Ms. Ford discussed the Planning Commission/Zoning Board's inquiry about using the Meeting Owl for their meetings.

- The Board agreed to allow other Town boards and committees to use the Meeting Owl for public meetings, provided such use does not conflict with the Selectboard's use.

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

The Board noted that there was no new information to report regarding this matter.

- No action taken.

19. Consideration of, and take any action on, performance evaluations and/or wage rate adjustments for Town employees and officers

- Mr. Gates moved to enter executive session to discuss performance evaluations and/or wage rate adjustments for Town employees and officers pursuant to 1 V.S.A. § 313(a)(3). Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 8:19 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Jefferson, and Town Clerk Benjamin Heisholt.
- Mr. Gates moved to exit executive session. Seconded by Mr. Jefferson and approved by voice vote. Exited executive session at 9:25 p.m.
- Ms. Gates moved to ratify the discussion held in executive session regarding performance evaluations and wage rate adjustments for Town employees and officers. Seconded by Mr. Jefferson and approved by voice vote.

20. Adjournment

- Mr. Gates moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 9:26 p.m.

A true copy.

Attest: _____ *Town Clerk*