

MINUTES - REGULAR SELECTBOARD MEETING

TOWN OF BARNET, VERMONT

MONDAY, JANUARY 8, 2024

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.
- **Via GoToMeeting online video conference:** None.

Other Town officials and employees participating:

- **In-person:** Road Foreman Mark Chase, Lister John Fairchild, Town Clerk Benjamin Heisholt, Fire & Rescue Chief Ronald Morse, Zoning Administrative Officer Shirley Warden,
- **Via GoToMeeting online video conference:** Town Attorney Steven Adler.

Members of the public participating:

- **In-person:** Leland Alper, Lisa Bowden, Jonathan Carpenter, Kenneth Tyda, and Tammy Tyda.
- **Via GoToMeeting online video conference:** Brian Monaghan

1. Consideration of approval of minutes of special meeting held December 18, 2023

- Mr. Gates moved to approve as presented the minutes of the meeting held December 18, 2023. Seconded by Mr. Jefferson and approved by voice vote.

2. Other business presented by members of the public

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

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

a. Consideration of, and take any action on, correspondence from Town of Waterford regarding maintenance of Smith Road

Residents Kenneth and Tammy Tyda appeared and discussed this matter with Mr. Chase and the Board. Mr. Chase reported that he had inspected the site, as discussed at the previous meeting, and discussed his findings with Mr. and Ms. Tyda. Mr. Chase found that the length of the private drive is approximately 350 feet, and the traveled portion thereof is approximately one car lane in width. To attain Class 3 road standards a number of improvements would be required, including upgrades to the road surface and drainage, widening of the traveled portion of the road, change of location of at least one and possibly two telephone poles, and improvement to the grade and angle of approach onto Route 5. Additionally, a number of administrative and legal tasks would be required in addition to the Selectboard's statutory obligations regarding reclassification/adoption of roads; these would include obtaining rights-of-way from adjoining landowners and obtaining a highway access permit for Route 5 from the State of Vermont. Discussion ensued.

- Mr. and Ms. Tyda agreed that they would not petition for adoption of the Barnet portion of Smith Road as a Town Highway at this time.

b. Consideration of, and take any action on, correspondence from Vermont Agency of Transportation regarding 2024 Mileage Certificate

The Board reviewed a 2024 certificate of highway mileage, which indicates all mileages as unchanged from 2023, 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

i. Winter maintenance

Mr. Chase reported that the Highway Department has spent much of its recent time performing routine winter road maintenance, including plowing snow and repairing muddy roads.

4. Other business presented by other town officers

a. Appearance by Fire Chief Ronald Morse regarding truck purchase

Mr. Morse appeared and discussed the pending purchase of a fire truck for the Fire & Rescue Department. The Board discussed purchasing policy requirements for the bidding process.

5. Consideration of, and take any action on, next steps in Town Hall project

a. Progress report

Mr. Gates reported on ongoing interior demolition progress. He indicated that a meeting is scheduled with a mason regarding the forthcoming project to pour vault concrete. Also, work on insulation and electrical components of the project is scheduled to commence soon.

b. Consideration of, and take any action on, Barnet Historical Society space in lower level

Historical Society representatives did not appear at this meeting.

- The Board agreed to table discussion of this matter.

c. Other business

i. Town Clerk's Office flooring

Mr. Gates reported that there has been discussion regarding the flooring of the offices; he indicated that the existing hardwood floor, rather than carpet squares, is the current plan. He requested input from Town Clerk's Office staff.

6. Consideration of, and take any action on, correspondence from Vermont Division of Property Valuation and Review regarding equalization study results

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

Education Grand List: \$245,126,100

Equalized Education Grand List: \$300,455,187

Common Level of Appraisal (CLA): 81.58% or 0.8158

Coefficient of Dispersion (COD): 24.14%

The Board noted that the results of the study indicate that a reappraisal will be required, as the COD is over 20%. The Board discussed these results with Lister John Fairchild.

7. Consideration of, and take any action on, bids for 2024 tax anticipation borrowing

The Board reviewed bids for tax anticipation borrowing for calendar year 2024. Bids received are summarized below.

	<u>Loan Amount</u>	<u>Loan Rate</u>	<u>Deposit Rate</u>	<u>Line of Credit Rate</u>
Community National Bank	\$526,792.26	4.00%	4.30%	5.14%
Passumpsic Bank:	\$526,792.26	3.15%	3.37%	3.98%
Union Bank:	\$526,792.26	3.40%	3.75%	4.40%

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 Community National Bank for a lump-sum loan of \$526,792.26 at a rate of 4.00% with reinvestment of proceeds in a deposit account with a rate of 4.30%. Seconded by Mr. Jefferson and approved by voice vote.

8. Consideration of, and take any action on, assessment of penalties for late filed 2024 homestead declarations

The Board reviewed its decisions from 2017 through 2023, 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 under certain circumstances related to homestead declaration filings, a revised property tax bill may "...as determined by the governing body of the municipality, include a penalty of up to three percent of the education tax on the property. However, if the property incorrectly declared as a homestead is located in a municipality that has a lower homestead tax rate than the nonhomestead tax rate or if an undeclared homestead is located in a municipality that has a lower nonhomestead tax rate than the homestead tax rate, then the governing body of the municipality may include a penalty of up to eight percent of the education tax liability on the property." These penalties would apply to the revised tax bill 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. Mr. Heisholt asked the Board how they would like to proceed regarding these penalties in 2024. Discussion ensued.

- Mr. Gates moved to apply penalties in 2024 in the maximum percentages allowable pursuant to 32 V.S.A. § 5410(g). Seconded by Mr. Jefferson and approved by voice vote.

9. Consideration of, and take any action on, adoption of proposed amendment of the Barnet Town Plan, pursuant to 24 VSA Chapter 117

The Board reviewed the proposed amended Town Plan, as discussed in two public hearings.

- Mr. Gates moved to adopt the 2023 version of the Town Plan. Seconded by Mr. Jefferson and approved by voice vote.

10. Consideration of, and take any action on, correspondence from CAI Technologies regarding tax map maintenance proposal

The Board reviewed the 2024-2025 proposal and contract. Terms of proposal and contract are the same as the 2023-2024 proposal and contract; the cost to the Town increases from \$2,900.00 to \$3,000.00.

- Mr. Gates moved to approve the contract. Seconded by Mr. Jefferson and approved by voice vote. The Board signed the contract.

11. Consideration of, and take any action on, animal control complaint form received from Marta Pierce regarding dog kept on Bimson Drive

Ms. Ford reported on her investigation into this matter, as was discussed at previous meetings. She indicated that she had spoken to the dog's owners and the owners of the property. She indicated that some of the facts involved in the complaint are disputed by the dog's owners. She also indicated that the dog's owners expect to reside in Barnet for only a brief time longer. The dog is registered at the owner's previous residence in Hardwick; Ms. Ford is working to obtain proof of registration and rabies vaccination.

12. Consideration of, and take any action on, appointment to fill vacancy on Dam Committee

Ms. Ford indicated that there was no new information to discuss or on which to take action regarding this matter.

- No action taken.

13. Consideration of, and take any action on, appointment of Animal Control Officer

Ms. Ford indicated that there was no new information to discuss or on which to take action regarding this matter.

- No action taken.

14. Other business presented by Selectboard

There was no other business presented by the Selectboard.

15. Consideration of approval of outstanding check warrants

- The Board reviewed and approved all outstanding check warrants.

16. Consideration of, and take any action on, zoning permit application for parcel #0014-01-70 (executive session anticipated pursuant to 1 V.S.A. § 313 (a)(1)(E))

- Mr. Gates 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 a zoning permit application for parcel #0014-01-70 would clearly place the Town of Barnet at a substantial disadvantage. Seconded by Mr. Jefferson and approved by voice vote.
- Mr. Gates moved that the Board enter executive session pursuant to 1 V.S.A. Section 313 (a)(1)(E) to discuss a zoning permit application for parcel #0014-01-70, 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 7:43 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Jefferson, Town Attorney Steven Adler (via GoToMeeting), Zoning Administrative Officer Shirley Warden, Town Clerk Benjamin Heisholt, and Brian Monaghan (via GoToMeeting).
- Mr. Gates moved to exit executive session. Seconded by Mr. Jefferson and approved by voice vote. Exited executive session at 8:07 p.m.
- No action taken.

17. Consideration of, and take any action on, 2024 Town employee wage adjustments

- Mr. Gates moved to enter executive session to discuss employee wage adjustments pursuant to 1 V.S.A. § 313(a)(3). Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 8:08 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Jefferson, Road Foreman Mark Chase, 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 8:46 p.m.
- Mr. Gates moved to approve employee wage adjustments as discussed in executive session. Seconded by Mr. Jefferson and approved by voice vote.

18. Consideration of, and take any action on, Act 76 childcare contribution payroll tax

The Board reviewed literature from the Vermont Department of Taxes regarding a new payroll tax that will take effect July 1, 2024. Employers are required to pay a 0.44% payroll tax on all employee wages earned in Vermont. An employer may choose to deduct and withhold a maximum of 25 percent of the required contribution (i.e., 0.11%) from employee wages.

- Mr. Gates moved to deduct and withhold the maximum percentage allowable by law from employee wages for the childcare contribution payroll tax. Seconded by Mr. Jefferson and approved by voice vote.

19. Consideration of, and take any action on, 2024 Town General Fund budget

The Board reviewed an amended draft budget. Discussion ensued.

20. Adjournment

- Mr. Gates moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 9:00 p.m.

A true copy. Attest: _____ *Town Clerk*