

**MINUTES – RE-SCHEDULED REGULAR SELECTBOARD MEETING
TOWN OF BARNET, VERMONT
MONDAY, AUGUST 5, 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, Benjamin Gates (presiding co-chair), and Mark Jefferson.
- **Via GoToMeeting online video conference:** None.

Other Town officials and employees participating:

- **In-person:** Road Foreman Mark Chase, and Highway Department employee Glenn Fearon.
- **Via GoToMeeting online video conference:** Town Clerk Benjamin Heisholt.

Members of the public participating:

- **In-person:** Kyle Berge, Lisa Bowden, Jonathan Carpenter, Warren Dow, Natalie Kitchel, Christopher Morse, and Jan Parsons.
- **Via GoToMeeting online video conference:** Heather Lindstrom and Mona Marceau.

Approval of Minutes

1. Consideration of approval of minutes of regular meeting held July 22, 2024

- Ms. Ford moved to approve the minutes of regular meeting held July 22, 2024. Seconded by Mr. Jefferson and approved by voice vote.

2. Consideration of approval of minutes of special meeting held July 29, 2024

- Ms. Ford moved to approve the minutes of special meeting held July 29, 2024. Seconded by Mr. Jefferson and approved by voice vote.

Appearances by Members of the Public

3. Appearance by citizens regarding proposed establishment of Town emergency recovery/relief funds; take any action

Kyle Berge, Natalie Kitchel, and Jan Parsons appeared and discussed their proposal for the establishment of Town emergency recovery/relief fund(s). The Board reviewed a letter submitted by the group, which outlines the suggested details of set-up of the fund(s), including the establishment of an appointed advisory committee with authority for distribution of funds. Discussion ensued.

- The Board agreed to seek advice from Vermont League of Cities & Towns regarding the establishment and use of such funds.

4. Other business presented by members of the public

a. Appearance by resident Warren Dow regarding disturbance complaint on Brook Hill Road

Warren Dow, resident of Brook Hill Road, appeared and lodged complaints and requested Board action regarding his neighbor Daniel Ehlers. Mr. Dow requested that the Board instruct the Town's fence viewers to inspect a privacy fence between Mr. Ehlers's property

and Mr. Dow's; he indicated that the current fence should be removed because it does not accurately reflect the property line. Mr. Dow indicated that Mr. Ehlers has moved a property pin. Mr. Dow also complained of nuisance noise produced by Mr. Ehlers's property; he indicated that a reference to noise restrictions is found in Barnet's ordinances. Finally, Mr. Dow stated a grievance about a perceived conflict of interest in a Zoning matter relating to a sign on Mr. Ehlers's property.

- The Board responded to Mr. Dow's complaints as summarized below:
 - The office of fence viewer is optional for Vermont municipalities and Barnet Selectboard does not appoint any. It is unknown if the Board would serve as *ex officio* fence viewers in the absence of appointed fence viewers; the Board will investigate this.
 - The Town does not have a noise ordinance; the Board recently considered adoption of one and determined not to do so at this time. The reference to noise restrictions mentioned by Mr. Dow seems to be found in the Zoning Bylaws. Mr. Dow is advised to inquire with the Zoning Board regarding this.
 - Any questions about conflicts of interest involving the Zoning Board or Zoning Administrative Officer must be directed to Zoning Board, an independent board.

b. Appearance by resident Michael Gibson regarding Anderson Street public nuisance complaints

Michael Gibson, resident of Anderson Street, appeared and discussed public nuisance complaints regarding two properties on Anderson Street. The residents of one property, according to Mr. Gibson, have been witnessed operating all-terrain vehicles on town highways and town properties near the residence. The same property, according to Mr. Gibson, has a vehicle parked within the town highway right-of-way. A second property, according to Mr. Gibson, poses a public health concern due to the accumulation of waste outside the home.

- The Board responded to Mr. Gibson's complaints as summarized below:
 - A letter can be written and served to the residents of the first property instructing them to remove the vehicle from the Town's right-of-way.
 - Ms. Ford, the Town Health Officer, can investigate the second property for enforcement of public health requirements.

c. Appearance by Lisa Bowden, Church Street Meeting House Trustee, regarding use of American Rescue Plan Act funding

Church Street Meeting House (formerly Barnet Congregational Church) Trustee Lisa Bowden appeared and discussed the Board's grant of ARPA funds to the Church, which was approved at the Board meeting held September 12, 2022. The approval was for \$20,000 for projects/events described in the Church's application; the application included the following items:

- \$11,816.50 for project to install chairlifts
- \$1,190.00 for installation of HEPA air filtration units
- \$7,000.00 to \$10,000.00 for ceiling painting
- \$3,000.00 to \$3,500 for repair/preservation of church bell

Later (November 28, 2022), the Board agreed to approve any requests for funding within the overall parameters of the approved application (\$20,000 for certain listed projects) without regard to the spending within the specific project categories in their application, allowing the Church to re-allocate the funds as needed to projects within the scope of their approved application.

At this meeting, Ms. Bowden indicated that the Church has expended approximately half of its overall grant funding to date. She said, however, that the planned chairlift project appears unfeasible at this time, as quotes received are well above originally projected cost, at about \$30,000. She asked if the Board would approve use of the remaining grant funds for other undesignated capital improvements outside the original scope of work.

- Ms. Ford moved to approve use of the remaining grant funds issued to Barnet Congregational Church for any capital improvements to the Church building, including those outside the originally funded scope of work. Seconded by Mr. Jefferson and approved by voice vote.

Appearances by Town Officers

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

a. Consideration of, and take any action on, road repairs in connection with July 2024 flooding event

i. Update

Mr. Chase reported that the Highway Department continues to work hard to restore roads to pre-flood condition. Almost all roads are completely open, but there are many rough and hazardous areas that have received emergency repairs only. Anderson Street and a portion of McLaren Hill remain closed.

ii. Sunnyside Lane

Ms. Ford discussed an inquiry about a culvert on Sunnyside Lane. Mr. Chase reported that the culvert in question is on a private road, beyond the end of the town highway Sunnyside Lane.

iii. Carter Street

Heather Lindstrom, appearing remotely, and Jonathan Carpenter, appearing in person, both residents of Carter Street, discussed ongoing concerns about the condition of Carter Street post-flood. Ms. Lindstrom discussed dirt/silt piles lining the western side Carter Street, where flood debris was deposited after it was removed from the road. Ms. Lindstrom also reported that the road is partially undermined on the eastern side of the road near her driveway, which was washed out by flooding. Mr. Carpenter, who is also Chair of the Fire District Prudential Committee, discussed installation of water lines along the damaged road areas on Mill Hill and Carter Street. Mr. Chase discussed drainage issues connected to a seemingly new stream that appeared on the hill above Carter Street after the flood. Discussion ensued regarding possible solutions to these issues.

b. Consideration of, and take any action on, request by Karme Choling for mirror at intersection of Patneau Land and West Barnet Road

The Board noted that there was no information to discuss or on which to take action regarding this matter.

- The Board agreed to table this matter.

c. Other business

No other business was discussed.

6. Other business presented by other town officers

There was no other business presented by other town officers.

New Business

7. Consideration of, and take any action on, certification of 2024 property tax rates

The Board noted that property tax rates were not yet available.

- The Board agreed to table this matter.

8. Other business presented by Selectboard

There was no other business presented by the Selectboard.

Old Business

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

a. Progress report

Mr. Gates provided a status report on the progress of construction. He indicated that work is progressing as planned. A recent major development was a decision on a new solution for exterior windows. New window sashes have been ordered to replace the existing sashes. Delivery is expected approximately six weeks from date of order.

b. Other business

No other business was discussed.

10. Consideration of, and take any action on, appointment of assistant/acting Zoning Administrative Officer

The Board noted that there was no information to discuss or on which to take action regarding this matter.

- The Board agreed to table this matter.

11. Consideration of, and take any action on, replacement of library fence

The Board noted that there was no information to discuss or on which to take action regarding this matter.

- The Board agreed to table this matter.

Check Warrants

12. Consideration of approval of outstanding check warrants

- The Board reviewed and approved all outstanding check warrants.

Anticipated Executive Session(s)

13. Consideration of, and take any action on, Highway Department employee leave of absence

- Mr. Gates moved to enter executive session to discuss Highway Department employee leave of absence pursuant to 1 V.S.A. § 313(a)(3). Seconded by Mr. Jefferson and approved by voice vote. Entered executive session at 8:28 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Jefferson, Road Foreman Mark Chase, Highway Department Employee Glenn Fearon, 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 9:30 p.m.
- No action taken.

Adjournment

14. Adjournment

- Mr. Gates moved to adjourn the meeting. Seconded by Mr. Jefferson and approved by voice vote. Meeting adjourned at 9:30 p.m.

A true copy. Attest: _____ *Town Clerk*