

**MINUTES – REGULAR SELECTBOARD MEETING
TOWN OF BARNET, VERMONT**

MONDAY, 13 OCTOBER 2025

Meeting convened at 7:00 p.m. in-person at Barnet Town Hall (154 Church Street) 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 Benjamin Adams.
- **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, and Animal Control Officer M. Joy Morse.
- **Via GoToMeeting online video conference:** None.

Members of the public participating:

- **In-person:** Mark Bowen, Joseph Breidenstein, Warren Dow, Jan Enthoven, Gerard Haase-Dubosc, Daniel Ehlers, Daniel Ehlers Jr., Roseann Leute, and Janice Parsons.
- **Via GoToMeeting online video conference:** David Hollocher and Mona Marceau.

Approval of Minutes

1. Consideration of approval of minutes of regular meeting held 22 September 2025

Mr. Adams noted that in item #11, the draft minutes state that contractor Shane Stevenson “recommends” a certain dam maintenance action; Mr. Adams suggests that the word “recommends” should be changed to “commented.”

- Ms. Ford moved to approve, as amended per the suggestion by Mr. Adams, the minutes of the regular meeting held on 22 September 2025. Seconded by Mr. Adams and approved by voice vote.

Hearing

2. Hearing of appeal of Daniel Ehlers from Animal Control Officer’s decision regarding dog nuisance complaint, pursuant to Animal Control Ordinance Section 7; take any action

The Board explained that this portion of the meeting was to be a hearing on a dog nuisance complaint. Prior to the beginning of the hearing, all those wishing to present oral testimony signed witness oaths. These individuals were as follows: Warren Dow, Daniel Ehlers, Daniel Ehlers Jr., and M. Joy Morse.

The Board reviewed an Animal Control Fine Notification mailed by Animal Control Officer M. Joy Morse to Daniel Ehlers on 20 September 2025. The letter indicates that Mr. Ehlers is in repeat violation of Animal Control Ordinance’s Section 4.E., relating to nuisances, specifically, “A dog...that disturbs the quiet, comfort and repose of others by barking, whining, calling, or howling for a continuous period of 30 minutes or more...” The letter indicates that Mr. Ehlers is fined \$75 for a second offense, or a waiver fee of \$50 if Mr. Ehlers did not contest the complaint.

Ms. Morse’s Fine Notification is in response to multiple complaints from Mr. Ehlers’s neighbors Warren Dow and Lauren Bertolini-Dow (Complainants) regarding Mr. Ehlers’s two dogs, one

described as having the appearance of a dachshund breed and the other appearing to be a mixed breed of tan color. The first complaint, dated 19 August 2025, states that Mr. Ehlers's dogs have run at large, off the premises of his property, on to the Complainants' property, and that Mr. Ehlers's dogs have barked for hours at a time on multiple occasions, including during overnight hours. The second complaint, received on 8 September 2025, indicates that excessive barking had continued on multiple occasions, including after Ms. Morse issued a verbal warning/violation notification in response to the first complaint.

The Board read Mr. Ehlers's letter appealing Ms. Morse's Fine Notification. The letter states that his neighbors tend to exaggerate the truth concerning his dogs and he would like to see proof of the offense.

The Board opened the meeting for testimony from those involved in this matter; their testimony is summarized below:

- Ms. Morse stated that after she had received the first complaint from the Complainants, she issued a verbal warning/violation notice to Mr. Ehlers. After the second complaint, Ms. Morse issued a written warning.
- Mr. Ehlers stated that he did not know there was an Animal Control Ordinance prior to receiving communication regarding these complaints and if he had known he would have submitted a complaint about the Complainants' dogs, which he says have been at his house in the past. He stated that Ms. Morse, in her first verbal warning/violation notice, did not indicate anything about his dogs barking; therefore the "second" notice was actually his first notice of a complaint about barking. He stated that the complaints' statements about the duration of his dogs barking are not true: his dogs do not bark for periods of 30 minutes or longer. He also stated that his dogs are used as guard dogs for his personal possessions and crops and must be outdoors at night to perform this work.
- Mr. Dow stated that his goal in filing complaints about Mr. Ehlers's dogs was not the issuance of a fine, but to cause the barking to stop. He described the barking and played short audio clips of barking from his cell phone; Mr. Dow stated that these recordings are samples from prolonged periods (longer than 30 minutes) of barking at various times of the night.

Discussion ensued between the Selectboard and Ms. Morse, Mr. Dow, and Mr. Ehlers.

The Board agreed to issue a decision in this matter as follows:

- The Board found that Mr. Ehlers's dogs have barked for periods of time exceeding the limits of Animal Control Ordinance's Section 4.E.
- The Board agreed to waive the fine issued to Mr. Ehlers on the condition that he must cause his dogs to cease barking for prolonged periods of time: not only of 30 minutes or more, pursuant to the Animal Control Ordinance, but also any continuous barking causing a nuisance.
- The Board ordered Mr. Ehlers to take action necessary to prevent his dogs from disturbing the quiet, comfort and repose of others by barking, whining, calling, or howling – including moving his dogs indoors if and when necessary.
- The Board agreed that although this decision overturns the fine associated with the second offense in this case, the first and second violations remain of record; future violations will be counted as a third violation, etc., and penalized accordingly.

Appearances by Members of the Public

3. Consideration of, and take any action on, Barnet Historical Society (BHS) storage space at Town Hall

Several members of BHS appeared at this meeting to inquire about the status of efforts to dehumidify the lower-level vault to accommodate the space for records storage. Discussion ensued.

- The Board requested that BHS contact Kevin Morrison of Vermont Mechanical to discuss options for dehumidification.

4. Other business presented by members of the public

No other business was presented by members of the public.

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, quote letter from Cargill for delivery of deicing salt for the 2025- 2026 season

The Board reviewed a quote letter indicating a delivered price of \$107.25 per ton for an estimated 1,650 tons. Discussion ensued.

- Mr. Adams moved to accept the quote. Seconded by Mr. Gates and approved by voice vote. Mr. Gates signed the quote letter.

b. Consideration of, and take any action on, progress report on reimbursement funding for July 2024 flooding disaster

Town Clerk Benjamin Heisholt reported on the progress in compiling and reporting documentation for reimbursement funding from the Federal Emergency Management Agency and Federal Highway Administration. He indicated that there may be delay in receipt of funding due to the current shutdown of the federal government.

c. Other business

i. Roy Mountain Road project

Mr. Chase reported that road base construction is finished; the Highway Department is awaiting paving by Pike Industries.

6. Consideration of, and take any action on, Listers' proposed welcome letter for new property owners

The Board reviewed a letter that the Listers propose to mail to all property owners who have acquired Barnet property beginning 1 April 2025. The Listers invite the Board's comments and suggestions.

- The Board agreed that the letter is suitable and that it will not suggest any amendments or additions.

7. Other business presented by other town officers

There was no other business presented by other town officers.

New Business

8. Consideration of, and take any action on, correspondence from Northeast Natural Resource Management regarding proposed agreement for beaver removal around Harvey's Lake

The Board reviewed a proposed agreement, to which the Board had agreed in principle at their 11 August 2025 meeting.

- With the Board's approval, Ms. Ford signed the agreement.

9. Consideration of, and take any action on, proposals for off-site soil pile disposal

The Board reviewed a proposal from Atlas for off-site soil pile disposal for contaminated soil found at the site of the former Fire Station in 2024 during Town Hall renovations. This proposal provides two different prices for work to include each of two different subcontractors, as follows: Absolute Spill Response - \$32,907; Calkins Excavating - \$30,883.

Mr. Gates indicated he had researched pricing and found that KML Excavation is available to perform hauling for an estimated cost of \$4,520 (estimated 160 tons at \$28.25 per ton). Disposal under this model would be paid separately to Casella at approximately \$18,120 (estimated 160 tons at \$85 per ton).

Discussion ensued.

- The Board agreed that Mr. Gates will further investigate pricing and coordination for this project.

10. Consideration of, and take any action on, correspondence from Repro Printing regarding proposed annual report printing contract renewal

The Board reviewed a proposed contract to print 575 annual reports. Proposed price per year is \$2,650 for one year, \$2,570 for two years, or \$2,460 for three years. The Board compared the previous two-year contract with Repro Printing (2023 and 2024), which was \$2,530 per year for 625 annual reports. Town Clerk Benjamin Heisholt indicated that he is satisfied with the service and product quality from Repro Printing and would be agreeable to a three-year contract.

- Ms. Ford moved to agree to a three-year contract as proposed by Repro Printing. Seconded by Mr. Adams and approved by voice vote.

11. Other business presented by Selectboard

No other business was discussed.

Old/Continuing Business

12. Consideration of, and take any action on, sale of former Town Clerk's Office at 1743 US Route 5 South

Mr. Adams indicated that there was no new information to discuss or on which to take action regarding this matter. Discussion was also had regarding the disposition of the library shelving on the second floor of the building; Barnet Historical Society (BHS) members present indicated they may have interest in it.

- The Board indicated that their plan was to leave the shelving intact and sell it as contents of the building, and that it may be difficult to remove. BHS will inspect the shelving to determine feasibility of removal.
- The Board agreed that Mr. Adams will follow up with the realtor regarding progress in marketing the property.

13. Consideration of, and take any action on, renewal of lease of library building space to Karne Choling

Ms. Ford reported that she had received communication from Karne Choling indicating that they do not intend to renew the lease of the library space; they intend to move out of the building soon. Several residents affiliated with Karne Choling appeared and expressed their concern and regret regarding any hardship to the Town incurred by this non-renewal.

Check Warrants

14. Consideration of approval of outstanding check warrants

- The Board reviewed and approved all outstanding check warrants.

Executive Session(s) Anticipated

15. Consideration of, and take any action on, Summons in a Civil Action from United States District Court regarding United States of America v. Marvin R. Kendall et al (executive session anticipated pursuant to 1 V.S.A. § 313(a)(1)(E))

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

- No action taken.

16. Consideration of, and take any action on, negotiations on payment of retainage on Town Hall construction management contract (executive session anticipated pursuant to 1 V.S.A. § 313(a)(1)(A))

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

- No action taken.

17. Appearance by Road Foreman Mark Chase regarding Highway Department matters; take any action (continued)

a. Other business (continued)

i. Consideration of, and take any action on, proposed employment of Highway Department volunteer for court-ordered community service

- Mr. Gates moved to enter executive session to discuss proposed employment of a Highway Department volunteer for court-ordered community service pursuant to 1 V.S.A. § 313(a)(3). Seconded by Mr. Adams and approved by voice vote. Entered executive session at 7: 56 p.m. Those present in executive session: Ms. Ford, Mr. Gates, Mr. Adams, Road Foreman Mark Chase, and Town Clerk Benjamin Heisholt.
- Ms. Ford moved to exit executive session. Seconded by Mr. Adams and approved by voice vote. Exited executive session at 8:05 p.m.
- No action taken.

Adjournment

18. Adjournment

- Mr. Gates moved to adjourn the meeting. Seconded by Mr. Adams and approved by voice vote. Meeting adjourned at 8:05 p.m.

A true copy. Attest: _____ Town Clerk