

Selectboard Meeting Minutes

Monday, January 27, 2020 at 6:15 pm at the Calais Town Offices

Present: Denise Wheeler (Chair), John Brabant (Vice Chair), Rose Pelchuck (Member, arriving 7 pm), Sharon Winn Fannon (Member), Clif Emmons (Member), Jerome Lipani (ORCA), Katie Lane-Karnas (Recording Secretary), Toby Talbot (Operations Manager), Larry Bush, Neal Maker, Julie Hand, Ann Gilbert, Stephanie Kaplan, Drew Lamb, Mark Brown, Tristan Joy, Bonnie Wanninger, Grace Vinson

1. Executive Session for Personnel Matters: Denise Wheeler made a motion to go into Executive Session at 6:15 pm per 1 V.S.A. subsection 313 (a) (3), personnel matters, and invited the Operations Manager to join the Board. The motion was seconded, voted on and carried 4-0. The Board resumed Regular Session at 6:58 pm. The Chair had nothing to report publicly.
2. Call to Order: Denise Wheeler called the meeting to order at 7:00 pm.
3. Public Comment: Tristan Joy attended, Calais resident and member of Gun Owners of Vermont. He provided a draft resolution “for the defense of the right to keep and bear arms.” He read a statement from the group Gun Owners of Vermont that outlined the group’s effort to create a non-legally binding resolution to give voice to people in Vermont who feel they are not being heard by their legislators, and asked the Board to add the resolution to the Town Warning. The Board pointed out that the warning had already been approved and sent to the printer, and commended Tristan for respectfully bringing the issue forward and engaging in local government. The Board suggested he reach out to the public possibly through Front Porch Forum to gather feedback and then bring his request for a local resolution to Town Meeting (under “New Business”). Tristan may want to speak with the Town Moderator to understand the process at Town Meeting.
4. Review, Additions/Changes to Agenda: None.
5. Updates/Reports, Operations Manager: The Operations Manager met with First Student bus company garage manager, Lynette, regarding the situation where a school bus driver needs to contact the Calais road crew for assistance. First Student’s radio system is digital, and therefore cannot communicate with the Town radios. The bus driver would contact First Student, who would then contact Roger Hill, who would then contact the highway department. The busses can reach a person in East Montpelier who has a cell phone in service, who could then contact the Calais highway department. He noted that the bus drivers commented that Calais’s winter road maintenance has been great. He did not check if school bus winter tires are installed.

The salt truck has a leak on the transfer case, and a part is needed; both the truck already needing repair and the salt truck (both fairly new vehicles) are in the shop awaiting repair.

Three trucks are in service, which equates to shared routes and long days for employees these last two days. The Operations Manager is listening to weather reports, anticipating events the day before and scheduling staff ahead of time. He noted that significantly unpredictable weather is always a factor, but he has been planning on the side of caution. Stephanie Kaplan appreciated the Operations Manager's post on Front Porch Forum that notified the public of an unforeseen problem.

6. Discussion with Conservation Commission: The full Conservation Commission attended and explained that the Emerald Ash Borer (EAB) has arrived in Calais; infested trees take a couple of years to die (the latest estimate is that 0.1% may survive). EAB bore underneath the bark, preventing water uptake. Ash trees are known for being particularly dangerous when they die and fall, breaking unpredictably. The Commission has been working for the last few years with the Community and Urban Forestry Program, gaining a \$2,000 grant last year that included a community information mailing. The first step for a management plan was creating a town ash tree inventory. Trees were classified along 66 miles of Calais roadways by volunteers, including indicating hazard trees (based on location and placement, likeliness of falling into a road). The Regional Planning Commission created maps based on the data gathered in the inventory, and counted a total of 3,297 ash trees having been identified along roadways. Approximately 1600 have been identified as "hazardous," or likely to fall into a road once impacted by EAB death.

The Commission is in the process of creating a management plan, will have a public meeting in the future, and have identified three options:

- i) *Preemptive Management*: remove all ash trees along the right of way and replace with different tree species. This option is expensive, but the estimate is that once an ash tree is dead, it costs approximately twice as much to take down. Arborist Nate Ebert (Plainfield) has experience from EAB impact in Minnesota. His experience is that ash trees that are not leaning into the road can be left, as they will not ultimately fall into the roadway.
- ii) *Treat With Insecticides*: Montpelier and East Montpelier are treating some trees that have been identified as "historic." Although Calais's inventory did not identify any ash trees as historic, the Town may want to consider treating some simply to keep ash trees alive in the Town. The cost is estimated at approximately a couple hundred dollars per tree every two years for the life of the tree.
- iii) *Reactive Management*: remove trees as needed, completing a more nuanced criteria for identifying some trees as "most" hazardous and therefore needing a response sooner.

Training programs for highway departments exist called "Game of Logging," which offer three days of safety training at a host site. Drew Lamb, assistant tree warden, commented that a safety training is a good idea, but shouldn't be relied on exclusively as the training for ash tree management (which is really a professional logging effort). He added that if in the end the road crew is taking on handling the EAB crisis, the Game of Logging is not sufficient training for the scale of work involved in handling the entire EAB issue. The Board noted insurance would need to be checked. The Operations Manager commented that the Road Commissioner has years of experience cutting trees and refers work that is outside his qualifications to Bayne Tree Service. The Commission pointed out that logging experience may be very valuable for the Town to keep in mind if hiring opportunities emerge in the future. The Operations

Manager noted that a project of this significant amount of time would really only be possible a month or two a year to allow ash tree work to be a priority.

The Board asked the Commission to take their inventory-created map and travel the roadways to identify a specific number of trees that should be prioritized for removal, and allow the Town to determine if the scope of the project is attainable within the current road crew schedule. Stephanie Kaplan noted that Calais and case law have interpreted that public trees are all “shade trees,” and unless actually infected, it cannot be considered a hazard tree, and thereby requires a public hearing before cutting. The Commission will return to the Board with the first priority list for tree cutting along right of ways.

East Montpelier has identified a row of ash trees along Gallison Hill Road (with tagging for public attention). They will be taken down, and the process for a public hearing for cutting trees was completed as defined. Some towns are setting aside funds for the future tree removal needs due to EAB (grants are not currently identified for this purpose). The Calais Conservation Commission is working on an effort to do a similar public information outreach effort and has sent letters to landowners along the more heavily travelled, identified corridors for permission to mark ash trees for the travelling public’s visual awareness. The current grant money (to be used by the end of March) may be used to plant replacement trees. The Commission will also bring more handouts to Town Meeting.

The Commission will determine a means of public communication, possibly a waterproof sign posted to the hazard tree, to accompany this work. The Commission noted that wood chipping is permitted for handling EAB infected ash trees, and the Board pointed out that the Commission should share with voters the significant, positive implications of a town-owned chipper for the Town’s near-future ash tree cleanup. Drew Lamb commented that a chipper would pay for itself quickly.

7. Local Hazard Mitigation Plan and Memorandum of Agreement (MOA) between CVRPC and Calais: Bonnie Wanninger and Grace Vinson attended to discuss the Plan that is up for renewal in July, 2020. In the case of a federally declared disaster, having a Plan is one of the four things a town can do to increase their state share of funding (the others Calais has already put in place: LEAP, flood hazard regulations included in zoning, and road ordinances). The Town’s planning team’s work, including Selectboard discussion time, counts as match for the grant (\$2500). Volunteer contributions are allowed at \$20 per hour per person; road crew members can be billed as actual wage rate.

Some towns are including the EAB ash tree cleanup into their plans (storm cleanup always includes general tree cleanup). FEMA has not recognized EAB yet; it can be built into the plan under “invasive species.”

The Board will decide on and communicate the planning team membership to Bonnie and Grace. Sharon Winn Fannon made a motion to authorize the Chair to sign the MOA with CVRPC to revise the Local Hazard Mitigation Plan. Clif Emmons seconded and the motion passed 5-0. The group reviewed the MOA’s list of items that the municipality will fulfill and Bonnie Wanninger shared examples; Calais’s planning team and CVRPC will set up a

schedule that seems realistic (by the July deadline, or possibly August/September). Bonnie explained the process whereby the Town can apply for FEMA relief in the case of a storm as their plan is still in the planning and approval process. The Board noted that counting Toby Talbot, there were five volunteers and one paid staff for 30 minutes at today's meeting.

8. VLCT request for a Resolution Supporting Municipal Authority in a Commercial Cannabis System (S.54): Ann Gilbert, Director of the Central Vermont New Directions Coalition, attended. The Coalition is a substance use prevention group covering Washington County for the purpose of promoting healthy community and addressing substance abuse. Ann explained that a decreased perception of harm combined with pervasive access to substances have contributed to 18-25-year-old Vermonters having among the highest levels of usage of marijuana and cocaine nationally.

The Board and Ann Gilbert discussed the VLCT request for a resolution supporting municipal authority in a commercial cannabis system (S.54). The Board noted that they had discussed the issue at their [11/25/2019 meeting](#): *“John Brabant commented with a change of wording that would clarify the Town is not in support of commercializing and legalizing marijuana; rather, they are in support of this resolution if the state legalizes. The Board asked him to make proposed edits, and they will revisit it...”* Ann noted that S.54 seems to be on a fast track at the legislature, and it may be good for Towns to sign the VLCT resolution, which she sees supporting public health within the situation that exists currently. She added that based on lessons learned from other states, allowing local municipalities to have some control, being able to “opt in” rather than to having to “opt out,” may be beneficial. The implication would be that instead of automatically having commercialization in place across the whole state, Calais would be able to wait until they *opt in* to allow the commercial retail sale in Calais. Ann noted that East Montpelier, Stowe, Williston, Brattleboro, Topsham, and more have considered and adopted the VLCT resolution. She stated that the Coalition has been concerned over the past years and it would be difficult to be fighting the legislation, but there is potential for shaping the legislation around commercialization. The group discussed concerns around vaping, lung injuries, and youth implications. John Brabant commented that the legislature may regard this as a cash cow which will allow a new stream of money to be put into another area of state government that historically struggled to get funding, thereby becoming “addicted” to the funding source provided by commercialized cannabis. He added that there is a powerful national lobby presence in the Vermont statehouse which can overwhelm community voices. Ann Gilbert offered to be a contact for the Board in case they have any questions and thanked the Board for their support.

9. IT update: Clif Emmons explained that the Board had approved to award the RFP contract to rBtech but a Board member needs authorization to sign the contract and associated documents. Denise Wheeler made a motion to allow Clif Emmons to sign the contract and associated documents with rBtech. John Brabant seconded, and the motion passed unanimously. The Board noted their appreciation for Clif Emmons's efforts and expertise in the process. Clif Emmons noted that the Board will be able to move forward more informed, with a more cost effective contract, and with a line item to support IT needs, yearly.
10. Appeal to Superior Court Christopher Backman of Grimaldi DRB decision: Christopher Backman appealed the decision of the Calais DRB to the Superior Court (following the

process outlined by statute). The Town Attorney advised that this issue falls under “neighbor dispute” and recommended the Town be on the list for certificate of service in case any implications for the Town arise. Denise Wheeler made a motion to authorize the Town Attorney to follow the matter on the Town’s behalf and keep the Board informed. Clif Emmons seconded, and the motion passed 5-0.

11. Chair Update:

- The Treasurer/Delinquent Tax report will be attended to on 2/10/2020.
- Curtis Pond Greeter Grant Program: administrative challenges in management of the grant program have existed over the past two years that the Board noted are important to address. The Board will further consider the program in conversation with the Treasurer at the February 10 meeting. The Chair will communicate with the Lakes and Streams Committee regarding the grant. The grant administrator role and responsibilities need to be well-defined.

12. Review and approve minutes, warrants

- a) The Board reviewed the invoices and orders were processed for payment.
- b) Approval of the minutes from previous meetings was tabled until a subsequent meeting.

13. Other Business/Old Business/New Business: None.

14. Executive Session for Personnel Matters: Sharon Winn Fannon made a motion to go into Executive Session at 8:56 pm per 1 V.S.A. subsection 313 (a) (3), personnel matters. The motion was seconded, voted on and carried 5-0. The Board resumed Regular Session at 9:05 pm. The Chair had nothing to report publicly.

15. Adjournment: A motion was made to adjourn at 9:05 pm. The motion was seconded, voted on and carried 5-0.

Date: 1/30/2020 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary
Approved by the Selectboard at the 3/9/2020 meeting

Click on the link below to view documents associated with this agenda:

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