

## Selectboard Meeting Minutes

Monday, July 26, 2021 at 6 pm, Town Hall and Zoom

**Present:** Denise Wheeler (Chair), Sharon Winn Fannon (Vice Chair), John Brabant (Member), Rick Kehne (Member), ORCA Media, Katie Lane-Karnas (Recording Secretary)\*, Alfred Larrabee (Road Commissioner), Sandra Ferver (Town Treasurer)\*, Grace Vinson (CVRPC)\*, Jeremy Weiss (Town Clerk)\*, Thomas Cronin\*, Stephanie Kaplan\*, Larry Bush\*, Kyle Booth\*, Danielle Laquerre\*, Reed Cherrington, Toby Talbot

*\*Indicates attendance by Zoom video call*

**Absent:** Marc Mihaly (member)

1. Call to Order: Denise Wheeler called the meeting to order at 6:08 pm.
2. Executive Session for Personnel Matters: Denise Wheeler made a motion to go into Executive Session at 6:08 pm per 1 V.S.A. subsection 313 (a) (3), personnel matters, and invited Road Commissioner Alfred Larrabee to join them. The motion was seconded by John Brabant, voted on and carried 4-0. The Board resumed Regular Session at 7:05 pm. The Chair had nothing to report publicly.
3. Public Comment: None.
4. Review, Additions/Changes to Agenda: None.
5. Treasurer/Delinquent Tax Collector: The town tax rate is driven by approved expenditures at town meeting, the grand list, and projected income. The grand list as of July 20, 2021 is up by a little under 1% compared to last year's grand list. The smaller the list, the higher your taxes because the expenses you are trying to raise to pay for with tax money are divided by the grand list. The town tax rate is .7356, which will raise less than \$100 over what we are aiming to raise to cover the approved budget. The amount of taxes raised for the loss due to veteran's exemptions (town taxes) is in the amount of \$300,000, raising the overall tax rate by .0015. There have been ten veterans for the last couple years in Calais who applied for the veteran's exemption.

The voted contract exemptions are valued at \$588,200. The amount of taxes that the Town loses by virtue of exemption is \$10,094.69, raising the overall tax rate by .0049. The Town Treasurer's recommendation is to establish a FY22 town tax rate of .7420, which is a slight decrease over FY21.

The group looked at the education rates, noting the Town cannot affect those rates. The FY22 homestead and town tax rates combined are slightly less than last year. The non-homestead rate is slightly higher than it was last year.

Denise Wheeler made a motion to approve the town tax rate for FY2022 of .7420. John Brabant seconded the motion which was voted and passed unanimously.

The Town Treasurer recommended reappointing NEMRC to fill the function of town auditor, which meets our internal controls and best practices on a number of accounts. Denise Wheeler made a motion and John Brabant seconded to reappoint NEMRC as auditor for a term of one year expiring in 2022. The budget allows \$4,000 for audit in FY22 and in the past the cost has not reached that amount. This will be the third year contracted with NEMRC (the contracted service was renewed at a previous meeting) and the Board made a note to review before renewal of contract ahead of FY24. The motion was voted and passed.

Sharon Winn Fannon made a motion and Denise Wheeler seconded to reappoint Sandra Ferver as Delinquent Tax Collector for a term of one year expiring in 2022. Although Sandra is also the Town Treasurer, those are two distinct positions that are appointed and budgeted separately, and may not always be filled by the same person. The motion was voted and passed unanimously.

The Town Treasurer noted the audit has been done and the Town awaits the reports. Everything looks good and there will be no surprises. The auditors will present their findings at a meeting in the fall.

6. Chapin Town Forest Parking Area Consideration: The group discussed the Conservation Commission's proposed parking area at Chapin Town Forest. The Road Commissioner attended a site visit and estimated \$5-10K with the road crew doing the work on the project (gravel, tree cutting, machine time, making it plow accessible). Stephanie Kaplan, Chair of Conservation Commission, commented that Chapin Town Forest is about 34 acres. The only current access requires walking in on private property (Stephanie described the navigation of the road first noting there is no parking available on the Chapin Road (it is one-lane). In order for people to visit the Town Forest, they have to park on the Pekin Brook Road, and must cross a failed ravine and go on private property; additional safety issues exist with traversing this route during hunting season. The Conservation Commission decided they would like people to be able to visit this Town forest without these barriers. Paul Hannon looked at it for surveying (at no charge) and with neighbors and the Commission identified a parking area. The parking area size has been estimated for six cars. The Commission is making the recommendation for the parking area and looking for Selectboard approval to move forward with this project. The Conservation Commission wishes to discuss how it would be funded.

John Brabant asked the Road Commissioner to clarify if the dollar costs outside of staff pay would be for gravel, fuel, etc. The Road Commissioner confirmed and estimated a couple of days of road crew labor. The best time of year for staff allocation is right now and he could make it happen relatively soon. Chapin Road at the location of the proposed parking is a class four town road. The Blackberry Ridge development maintains part of the Town's class four road, including part of the road that leads to this proposed location. The Town road crew would have to add this stretch of road to their winter plow route if we decide to make it accessible year-round. John Brabant noted that before the Blackberry Ridge development, the Board negotiated an arrangement between the Town and the Blackberry Ridge developer

whereby the developer would make clear to purchasers that the homeowners must maintain the road, and this arrangement was part of the town's approval for the development.

Kyle Booth, neighbor, expressed concerns: seasonal or fulltime use, funding, and how it affects the wildlife and habitat there, and water runoff. The Road Commissioner noted the same erosion control practices would be followed as anywhere else. Thomas Cronin, neighbor, commented that the road is maintained by the Town to where the mailboxes are located; from there to the beginning of Blackberry Ridge has been privately maintained by the residents. If the parking lot is created, he asked if the residents would be expected to maintain that section from mailboxes to the parking area. The Road Commissioner estimated the distance that the homeowners maintain at approx. 300 feet of class four. It is possible to upgrade that section of road to make it maintainable by the Town. He agreed that there may be more traffic. Thomas Cronin noted there is currently a parking spot on Pekin Road, crossing over a washed-out ravine and private land. He asked if the Conservation Commission is thinking of spending funds to allow access to this Town forest, would they think of instead using the Pekin Road area. Stephanie Kaplan commented that Paul Hannon found the property boundaries to be clear and the Road Commissioner advised that creating travel over a collapsed ravine would be much more costly. Motor vehicles going into the forest from the Pekin Brook side is a concern.

Sharon Winn Fannon clarified that class four is just like any other public right of way in town, and it goes across private land. The road under discussion is not "private." Danielle Laquerre, neighbor, stated her worry about trash, liability, and maintenance. Regarding liability, she noted there is a lot of water there, and questioned what kind of traffic and people a-hiking in the area is going to attract; she asked who will be liable for someone walking on her property and getting hurt. The Chair commented that it is not any different than any other road in Town in terms of the liability to a property owner. Danielle Laquerre reiterated she is worried about what type of people are going to use it. John Brabant noted that at other Town forests, people who visit are environmentally oriented. He added that if anything, Town forests are under-utilized. She asked the cost difference between making it accessible from Pekin Brook Road. John Brabant considered access from Pekin Brook could encourage shortcut traffic and four-wheelers.

The Board delegated to the Conservation Commission and the Road Commissioner the next steps to make a plan and present it to the Board. The Board asked the group to consider whether the class four road should be downgraded to a "trail," outline the cost of the project, provide a diagram of the parking area location, include Paul Hannon's survey notes and statement, describe the Commission's anticipated outcome, estimate the level of utilization for this forest, and coordinate with the Trails Committee. The Board planned to ask the Trails Committee to watch this evening's recorded video discussion and coordinate with the Conservation Commission. The Board will have this item on its agenda as a 15 minute item for the second meeting in August.

7. Kent Hill Rd. Culvert: Grace Vinson, CVRPC, gave an update on funding options for this culvert improvement project. The BRIC Program (funded by FEMA) may be an option (application is not released yet) for a scoping study. This would require a 25% match which could be in-kind. Of the options offered by the BRIC grant, Grace recommended the option

specifically for a scoping study. In 2018, VTRANS did an estimate on replacement (approx. \$300K). Since then, the renovated Town Hall has been raised out of the flood zone, lowering the cost implications of any potential damage to roads (and not the building). Rick Kehne asked whether the scope on the benefit cost analysis (BCA) would be high enough for FEMA to fund upsizing of the culvert. FEMA would require a BCA to fund implementation, but not all funding sources would require the same. Grace added that the intention of the scoping is to gather information and develop the BCA; this application is not contingent on the BCA being high enough for implementation to be granted. Rick Kehne, Grace Vinson, and the Road Commissioner will work together and return to the Board when it is a good time to make the decision for grant application.

8. Road Crew Hourly Rate: The Road Commissioner asked the Board for guidance on an hourly pay range he may offer if a candidate comes forward for filling a vacant position. The Board advised compensation should be based on experience and between the two newer employees' rates (not higher than the most recent hire's rate). If a potential employee is identified and Alfred cannot hire within that parameter, he should come talk to the Board about salary. The Board is continuing work to develop criteria for highway department compensation and benefit assessment. Sharon Winn Fannon commented that the Board is not going to provide a specific range on the fly, and recognized that the Road Commissioner's question points to the importance of the Board's prioritizing its work to establish a system to determine highway department salaries. The Road Commissioner urged the Board to move quickly on this because winter is coming. The Operations Manager asked the Board to confirm that they would meet with a potential candidate as soon as someone is identified (not awaiting a scheduled Board meeting). Sharon Winn Fannon asked the Road Commissioner to be careful to set realistic expectations of employment, in line with Board direction over the years. The Road Commissioner asked the Board to specify their expectations. They discussed hours, on call, winter operations, paid time off. Board members disagreed about whether or not expectations have been set for the highway department and the Road Commissioner's role in communicating those. All acknowledged that much effort was invested in the good faith union negotiations, yet nothing came of that work. T Board feels the negotiated (but not finalized) union contract was a reasonable and equitable set of terms, and the Board as its management prerogative now has the option to implement expectations as they see fit. John Brabant argued that the contract was styled so that Calais would be better positioned to attract candidates. Denise Wheeler advised the Board to look at the salary schedule that was proposed as part of the union negotiations in an effort to vote on a schedule that can be handed to the Road Commissioner for hiring purposes. If a future committee wants a higher rate, that can be approved at that time. The Road Commissioner stressed his fear of losing another highway department member. Denise Wheeler clarified her suggestion is for a special meeting to look at just the pay scale, with a vote; they decided to continue this meeting to Monday 8/2/2021 at Town Hall.
9. Town Highway #7: The Board received a request to discontinue TH #7 (Gary and Jill Schultz); John Brabant suggested consideration of downgrading the GAR Road to a trail at the same time. The Board planned to review background information and revisit at a future meeting. Reed Cherrington commented that he will identify the statute reference for reclassifying a trail and share that with the Board. Classification as a trail allows the Town to limit uses for the general public (restraining motor vehicles, for example) but NOT the residents. Reed

presented concerns about the Town losing any right of way width capacity (in case GAR Road ever needed to be upgraded again).

10. EMFD Service Agreement: The Board reviewed the electronic document containing East Montpelier's and Calais's proposed side-by-side contract language changes. The existing language says the EMFD contract auto renews every year, without a forced review at any point. E. Mont. Selectboards proposal allows for two successive auto-renewals but the third year would require a contract review conversation. The Board read through EMSB's proposed language and considered implications. Right now, the EMFD budget is included in the Calais budget and is, therefore, voted by the town when the vote on the overall town budget. The Calais selectboard is negotiating to allow the town to present the EMFD budget as a separately warned and voted item, just as it does for the Woodbury Fire Department. Toby noted it has always been the voters' prerogative to change it from the floor on Town Meeting Day as they see fit. EMSB proposes language that states the East Montpelier and Calais Selectboards shall support the agreement and "endeavor" to raise the amount of EMFD's operating funds. The proposal goes on to state "the manner of presentation of EMFD's operating budget or any capital request is at the discretion of each individual Selectboard." The Selectboard discussed the definition and intention of the phrase "shall endeavor" and found it appropriate to reflect the board's intent, i.e. that the term "endeavor" is not a commitment or assurance of success. The EMFD would like to meet with the Board on August 2 (6:30 pm). Toby Talbot questioned the two boards' reasoning and rationale for these changes to the contract renewal. John Brabant commented that the emergency services budget should not be buried in the Town budget, but presented directly to the voters for stronger support and understanding of the service's importance. Sharon Winn Fannon added that EMFD is the one item within the budget that the Board does not generate or have ownership over. Board members emphasized their support of the EMFD and their thinking that this will increase voter engagement to support the EMFD budget.
11. WCUUSD School Board for Calais: Dorothy Naylor resigned as Calais's representative and a replacement is needed. The Chair asked the School District if/how they have advertised the position, and they replied that they have not and do not plan to. The Board found this insufficient and planned to notice the position at its Town of Calais approved notice locations; letters of interest shall be sent to the Town Office within deadline. The Board agreed that this is our Town's voice on the WCUUSD board; interviews with interested applicants will be scheduled for the August 9 Selectboard meeting. The perspective of the applicant and ability to represent our value set is important to the Selectboard.
12. Other Updates: This item was tabled until a subsequent meeting.
13. Appointments/Reappointments: John Brabant moved and Denise Wheeler seconded to appoint the following people for terms of one year, expiring in 2022:
  - Animal Control Officer – Wilson Hughes
  - Second Animal Control Officer - Elizabeth Perry
  - Constable – Wilson Hughes
  - Energy Coordinator – Bill Powell
  - Gospel Hollow Warden – Andy Felice

Inspector of Lumber – Greg Pelchuck

Selectboard Recording Secretary – Katie Lane-Karnas

Webmasters – Katie Lane-Karnas, Clif Emmons, and Jeremy Weiss

The motion was voted and passed 4-0.

14. Review and approve minutes, warrants

- a) The Board reviewed and approved processing of invoices and orders.
- b) Denise requested that the Board approve the minutes from 7/12/2021 to keep the timeline moving on implementing the animal ordinance. Sharon noted she had not reviewed the minutes yet, and would like to before the board formally approves. Denise said the Board can amend the minutes in the future, as long as the board considers the minutes as to the animal ordinance final. Sharon asked that there be an item as the next meeting to amend on other issues, and Denise agreed. John Brabant moved and Denise Wheeler seconded to approve the minutes of the 7/12/2021 meeting, the motion passed 4-0.

15. Other Business/Old Business/New Business: John Brabant shared a conversation he had with Doug Lilley a few weeks ago about a near miss by a speeding car at a blind spot. Doug asked that reminder 35 mph speed limit signs be placed east and west of his farm (the Road Commissioner could figure this out with Doug); John Brabant would like a “farm equipment: warning, slow!” signs for Doug Lilley and one for his location as well. The Board discussed exploring costs for a post for the flashing light installed on Lightning Ridge. The Chair noted that the County Road speed limit consideration process is moving up the agenda ladder.

16. Adjournment: Sharon Winn Fannon made a motion to continue this meeting to Monday, August 2, 2021. The motion was seconded, voted on, and carried 4-0.

Date: 7/27/2021 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary.

*Approved by the Selectboard at the 8/26/2021 meeting*

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

<https://drive.google.com/drive/folders/1wPD2ihC-ql-zP2g4BCOxa7HPZXJTBB5x?usp=sharing>