

Selectboard Meeting Minutes

June 22, 2015

Approved

Present: Selectboard members Scott Bassage, Denise Wheeler, Rose Pelchuck, John Brabant, Toby Talbot absent; Road Commissioner Alfred Larrabee; Reed Cherington, Jody Bayne, Joe Bayne, Bob Cutler, Dot Naylor, Rod Buck, John Simanskas, Juanita Nunn, Randy Koch, Larry Bush; Will Walters, Hardwick Gazette.

Denise Wheeler called the meeting to order at 7:10 pm at the Town Hall.

Public Comment on Non-agenda Items

Clerk Donna Fitch asked the Board to sign the curb cut approval for Doug and Debbie Grout's property which was approved at the June 8th meeting. She also asked them to re-sign the Purchasing Policy as the copy they signed at the previous meeting was a draft.

Denise made a motion to hire Attorney Gloria Rice for the next six months to assist with tax sales at the request of the delinquent tax collector. This was discussed at the last meeting and she had neglected to put it on this meeting's agenda. The motion was seconded. Motion passed 4-0.

Loan in Anticipation of Taxes

John Brabant made a motion to approve the Tax Revenue Anticipation Note in the amount of \$313,000 at an interest rate of 1.7%. Rose Pelchuck seconded the motion. Motion passed 4-0. This is an annual loan that provides the town with money to pay expenses until the town receives property tax revenue in September.

Swim Program Appointments

In response to meetings with, and recommendations from, the town's insurance company (VLCT-PACIF, Jim Carrien, Loss Control Consultant), Denise made a motion to appoint the following swim program volunteers to the Swim Program Committee: Dillon Burns, Laurie Grigg, Ann Marie John, Lisa McCarthy, Mark Whitman. Scott seconded the motion. Rose said she was happy to see the relationship between the town and the Swim Committee formalized. Motion passed 4-0.

Conservation Commission

Jan Brough has resigned from the Conservation Commission. Denise made a motion to appoint Larry Bush for the term that expires in 2016. John seconded the motion. Motion passed 4-0.

June 8th Meeting Minutes

The meeting minutes of June 8th were unanimously approved with the following changes:

- ✓ Remove "speeding" from discussion of "mud heads" on Lightening Ridge Road.
- ✓ Add that Denise recommended posting the town office maintenance position on Front Porch Forum.

Road Commissioner Report

Paving of the County Road will begin with grinding the old pavement on July 1 and 2. A roller will be rented to pack down the surface, rather than waiting a month for traffic to pack it down. This will cut down the dust and the paving process will move faster. The estimate for the job is lower than budgeted. Therefore, Alfred suggests paving 40 feet further into Maple Corner, ending before the Maple Corner Store. He has staked the end spot. If the current low spot with pot holes is paved, water will run off and pot holes will be less apt to form. Donna will pose the question on Front Porch Forum whether people would prefer the spot paved or not. The Selectboard will discuss at its July 13 meeting and the public can also provide input at that time.

Alfred asked if he should grade GAR Road. The Selectboard responded, yes, it's a town road and should be maintained according to the town's Class 4 road policy. John made a motion that the Board approves the grading of GAR Road as necessary and in keeping with the town's Class 4 road policy. Rose seconded the motion. Motion passed 4-0.

The new Western Star 4700SF truck will be delivered to the town in September. It is currently at HP Fairfield being fitted. The Ford 5250 pickup truck will arrive in July.

A discussion about whether to permanently close the Upper Road Bridge in North Calais will take place at the next meeting.

The winter sand pile is almost completed. It will take another half day to top it off.

Trustee of Public Funds

Rod Buck, Trustee of Public Funds, reported on the cemetery funds and discussed the possibility of depositing cemetery funds in the Vermont Community Foundation (VCF). A lawyer at the Vermont League of Cities and Towns (VLCT) confirmed that the cemetery funds are "owned" by the town and suggests the town obtain legal advice on investing cemetery monies in VCF.

A certificate of deposit (CD) at Northfield Savings Bank holds \$44,675.05 and has been earning 2.75%. The CD matures July 15, 2015 and will then earn .005%.

The remainder of the cemetery funds are deposited in T. Rowe Price (TRP) funds. Rod described the five funds at TRP and the percentages of cemetery money in each fund. There is over \$120,000 in the funds as of June 22, 2015. There was a discussion of fees. There are no sales charges.

Using the Maple Corner Community Center's (MCCC) experience with depositing \$300,000 in the Vermont Community Fund, Rod reviewed the MCCC Fund's investment performance since the money was deposited in 2002. In summary, \$300,000 was deposited; \$196,063 has been distributed to MCCC for building projects and programming; the fund balance today is \$468,657. Therefore, the MCCC Fund has earned \$364,720 over the past 13 years. All VCF money is pooled in a diversified portfolio for the long term with excellent managers. The "pool"

contains \$170 million spread over 15 different asset classes, allowing investments that would not be possible for a small nonprofit like MCCC (or the town of Calais). This approach also spreads the risk. The VCF is a nonprofit and only accepts nonprofit endowment funds. Their policy is to distribute 5% a year to the nonprofit. There are two types of funds the cemetery funds could be deposited to: Reserve Fund and the Endowment Fund. Money can be removed from the Reserve; only in an emergency can money be removed from the Endowment Fund. The Reserve Fund has slightly higher fees. Investments are not insured, therefore, there is some risk.

“If we are thinking of the cemetery funds as a long term endowment, this is the way to go,” said Rod. He explained VCF has a good track record; they invest in assets that you can’t get elsewhere. They have good administrators and the best investment managers in the country. Reed Cherington noted that what sets VCF apart is that it is a nonprofit. The organization was formed in 1986. Further information is available at <http://www.vermontcf.org/>.

Donna will research what other towns are doing with their cemetery funds. Denise will ask the law firm Stitzel, Page and Fletcher what they will charge to determine if the Trustees of Public Funds can deposit cemetery monies in VCF. If the legal determination is made that town funds cannot be deposited in VCF, the Trustees will continue with TRP. The maturing CD money will be deposited to TRP.

Ancient Road Dodge Road

The Selectboard has not determined whether to throw up this road as they are waiting for a determination of ownership of two parcels of land in that area, one owned by the Bayne family and one by Karen Lane. In an email, Karen said research has shown that her land may not be where the town and she thought it was, but may be a part of a neighboring property. The Selectboard does not want to take any further steps until they have something in writing from Karen’s surveyor.

Curtis Pond Dam Plans

John reported that he had been in touch with President and Principal Engineer Jeff Tucker of Dubois & King who said he thought the plans had been delivered to the town. The town has not received any plans and the contract states that completed plans will be delivered December 31, 2012. John will follow up.

Highway Equipment Loan

Denise made a motion to approve the highway equipment loan in the amount of \$189,961, \$156,704 for the Western Star 4700SF and \$33,257 for the F250 truck and plow. Rose seconded the motion. Denise, John and Rose voted for the motion. Scott abstained. Motion passed.

Dog Ordinance Approved

Scott made a motion to approve the new Dog and Wolf Hybrid Ordinance dated June 22, 2015. Rose seconded the motion. Motion passed 4-0. Donna will post the ordinance as per the

ordinance adoption process. If there are no petitions submitted in opposition, the ordinance becomes effective August 21, 2015.

Fellows Road Property

Attorney Gloria Rice will determine the legal access to the town-owned property on Fellows Road which the town owns through tax sale.

Financial Questionnaire

Each year the town treasurer is required to fill out the "Financial Management Questionnaire for Towns" and present it to the Selectboard. Denise made a motion to approve, Scott seconded and motion passed, 4-0.

Development Review Board (DRB) Members

The DRB asked a Planning Commission (PC) member to attend a recent hearing as an alternate. The DRB wants PC members to have a chance to better understand how what they do affects real life conditional use applications. VLCT has a model policy for DRB members choosing PC members to serve as alternates. PC members would be called on in alphabetical order so all members have a chance to serve and so there is no personal choosing of which PC member would serve. In support of the policy, Zoning Administrator Dot Naylor said she has been working on this since 2005. The Selectboard will review the policy and it will be on a future agenda for further discussion.

Zoning Administrator (ZA) Job Description

Dot Naylor presented the job description which she and the Planning Commission had reviewed. Zoning procedures have been removed from the job description and are now in a separate notebook rather than being a part of the description. Dot suggested that, instead of paying the ZA by the hour, the ZA be paid a monthly stipend and a per-permit fee. She suggested \$50/permit plus \$100/month. Additional money could be allotted for additional time-consuming activities, such as DRB hearings. At most there are 60 permits a year so this payment plan would come to \$4,200/year. Scott suggested a flat \$400/month for a total of \$4,800 a year. The Selectboard will read the job description and discuss at a future meeting. Dot will continue as ZA through the summer. The Selectboard will check the job description against those statutes pertaining to a town's zoning administrator. Dot will email the ZA procedures to the Selectboard; they have been reviewed by the Planning Commission. The question was raised whether the Selectboard can limit ZA candidates to town residents or whether they want to.

Legal Fees

The Selectboard discussed the legal fees' budget. Comments included:

- ✓ It's the cost of doing business.
- ✓ The Board collaborates on hiring a lawyer even though it may not actually take a vote to hire an attorney.
- ✓ The biggest FY2015 legal expense was due to the lawsuit with CCS Contractors, which was unavoidable.

- ✓ The town needs to defend its zoning regulations.
- ✓ The Selectboard has become better at keeping track of legal expenses since the Treasurer starting providing monthly legal expenses broken out by legal issue.

The Board agreed to put legal fees on each meeting agenda in order to receive an update on the status of each legal issue and how much money is being spent. The board agreed that by doing this, there will be implicit approval by the Board of the legal expenses.

Selectboard "Vacation"

At its meeting on July 13, the Board will consider not meeting on July 27. They may meet only once in August also.

The motion was made, seconded and approved to adjourn the meeting at 10:10 pm.

Respectfully submitted,

Donna Fitch, Clerk