

Selectboard Meeting Minutes

September 28, 2015

APPROVED

Present: Selectboard members Scott Bassage, John Brabant, Rose Pelchuck, Denise Wheeler Toby Talbot, John Brabant was absent; Donna Fitch, clerk; Larry Bush, Darby Bradley, Elizabeth Perry, Renee Carpenter, Pam DeAndrea, Stephanie Kaplan, Jan Ohlsson, Nancy Purchase; John Ramsay, VT Land Trust; Gus Seelig, VT Housing & Conservation Board; Nedene Martin, Delinquent Tax Collector.

Non-agenda Items

Donna Fitch provided information on 2016 health insurance premiums for a future meeting. In FY2011 the town paid \$87,910 in health care premiums. The cost of health coverage has decreased since then. In FY2012, the town changed its plan to include a health reimbursement account and added dental insurance. The cost that year was \$78,015. FY2013 costs were \$66,456, FY2014 \$55,246 and \$57,104 in FY2015.

PACIF Insurance Renewal

The following updates were made:

- 1) 2016 Vehicle Equipment Schedule item #6 – remove 2006 International dump truck.
- 2) Add the shed over the tanks at the town garage at the amount it cost to build it.

Review of Special Meetings on September 26, 2015

Thanks to Artie Toulis for the awesome sound system. Hats off to moderators Craig Line and Gus Seelig. Have coffee available! Isn't there a group at U-32 that would like to hold a fundraising bake sale (with coffee)?

Appointments

Denise made a motion to appoint David Ellenbogen to the Transportation Advisory Committee of Central VT Regional Planning Commission. Toby seconded the motion. Motion passed 4-0.

Approval of Minutes

The minutes of 9/14/15 and the minutes of the 9/26/15 special town meeting were approved unanimously.

Operations Manager Report

- 1) Road crew is working on Martin and Blachly Roads
- 2) Singleton Road culverts are finished. Alan May will sign off (for grant purposes)
- 3) Mirror Lake Road culvert may have to wait until spring
- 4) Center Road culvert will be done in 2016

Denise reported that Doug Lilley expressed appreciation for the ditching on Lightening Ridge Road. The new six-wheeler truck may be delivered this week. Carl Etinger, East Montpelier Selectboard, is looking into two bike path grants for County Road. The town(s) would pay 50%

of a federally funded scoping grant. A grant provided through the State requires the town(s) to pay 10% of the cost. Tom Anderson, the Calais Agency of Transportation District 6 Manager, is retiring. Calais should send him a plaque and/or gift to show our appreciation for his work. Donna suggested calling his wife. Calais has been moved to District 7 with St. Johnsbury.

Hannan/Carey Curb Cut

Planning Commission member Jan Ohlsson said the new proposed zoning regulations will state that a curb cut for logging is required but there will be no charge for the curb cut application. Denise made a motion to approve the Hannan/Carey curb cut on Max Gray Road with the condition that it is for logging only and is not for permanent access. Toby seconded the motion. Motion passed 4-0.

Painting the Town Office

The contractor who the Selectboard chose to paint the town office said he is no longer interested. Donna will ask one of our favorite painters in town if he is willing to reconsider painting the office next summer.

Social Service Town Meeting Requests

Organizing the Nonprofit Review Committee and the town meeting social service requests takes much time for office staff. How can the process be more efficient? It was agreed to take town office staff out of the process. The committee can develop a protocol and Donna will give them the deadline for inclusion in the town report. (Since then, Scott and Donna attended a VLCT finance workshop where a model social service request policy was distributed. The Selectboard may want to approve a policy and send it on to the committee.)

Conservation Easement Pete Johnson's Property (formerly Legare Farm)

The former Legare farm on Route 14 is now owned by Bub's Best, LLC, created by Pete Johnson of Pete's Greens. John Ramsay, VT Land Trust (VLT) continued the discussion of the proposed conservation easement for 224 acres. Mr. Ramsay provided a soils map. The varying State, Federal and Act 250 definitions of soil types were discussed. The soils on Bub's Best property will be managed according to federal guidelines.

Pam DeAndrea questioned the western border of the river corridor easement and pointed out on the map an area where the easement allows farming up to the river's edge with no buffer. Mr. Ramsay explained a conservation biologist mapped the surface water protection zone; the river can move within that zone. It's a matter of balancing ecological protection with agricultural use, he said. Lister Jan Ohlsson requested the appraiser's report on the land. Mr. Ramsay agreed to send it to her and said he would be happy to review it with Calais listers. Pete Johnson has agreed to public access from Max Gray Road for a strip of land measuring one rod in width landward from the Kingsbury Branch River. If there are future problems on this access, VLT will be notified and will contact the town. Conservation easements are inspected annually by VLT regional stewardship managers. Darby Bradley said he had visited the Craftsbury area and the enthusiasm, level of expertise and financial commitment in that area of Vermont is

impressive. The money Bub's Best will receive in exchange for the conservation easement, allows Pete to recapture some of his financial capital and reinvest it in his business. This is a huge opportunity for Calais, Darby said. "What happens here has an impact on the future of agricultural land in Calais. This is a critical property." Responding to the Selectboard's concern that it felt pressured by the amount of time in which they had to make a decision, Mr. Ramsay explained it is a balance between when to notify the town while negotiating with the landowner. (Clerk's note: VLT met with the Conservation Commission on July 8, 2015 and with the Selectboard on August 24 and September 14, 2015.) Mr. Ramsay again apologized and recognized that the process could have been better and that the VLT would strive to work with the town sooner in future projects. Gus Seelig said the town may be at a point where it should actively engage landowners not just react to requests. He pointed to the increase in population in Craftsbury due to agriculture activities in the area and the VT Food Venture initiative. It would be great if Calais could capture some of that enthusiasm, he said.

Rose said she supported the project, especially as it correlated with the Town Plan and growing food close to home. She felt rushed and would have liked to walk the land. "We are here to welcome Pete," she said. It's a great project, Toby said. It's a resource we can't let go and it's a good investment for the town. In supporting the easement, Scott pointed out how it supports the Town Plan, will possibly provide jobs in town, and shows positive visibility for expenditures from the town's Conservation Fund. People will feel good about leveraging money on this project, he said. Denise said she supports the project but didn't like the process. It's a good value for the town, she said, and she would also like to welcome Pete.

Stephanie Kaplan, Conservation Commission (CC), reported the CC voted 5 to 1 with one abstaining vote in support of \$15,000 from the Conservation Fund on condition that public access to the river be provided. She said that although they were supportive of the project, the CC members were dismayed that they had not been consulted earlier and provided the opportunity to have more input into the project, and that the CC would not recommend providing financial support to any project in the future if the CC is not consulted earlier in the process. She said the CC was also concerned with the 48 acres not included in the easement which has been part of the farm. She asked if this was unusual for VLT? Gus responded that what to include in the easement is considered early on in the conservation process. Every deal is different. Is what you are protecting worth foregoing what's not in the easement?

Denise made the following statement: I want to see the farm conserved, however I am very unhappy with the process that was followed by the VLT and the landowner, in that neither the Conservation Commission nor the Selectboard was given an opportunity to have input into the easement plan before it was presented as a done deal. Future conservation projects in Calais must follow the process outlined in the Conservation Fund Guidelines or they will not be considered for funding. I also want to be clear that this easement which does not include the conservation of the 48 acre parcel on the west side of Rte. 14 is not a precedent for supporting

future conservation projects that withhold a significant part of the property from a conservation easement on the property.

Denise made a motion to support the recommendation of the Conservation Commission to contribute \$15,000 from the Conservation Fund toward the purchase of a conservation easement on Bub's Best, LLC property (formerly the Legare farm) on Route 14, including the amendment to the conservation easement adding public access. The motion was seconded. The motion passed 4-0.

Delinquent Taxes

Delinquent Tax collector Nedene Martin reported delinquent taxes are currently at \$22,287.43. Previously, delinquent taxes were over \$200,000. She credits this to the backing of the selectboard, being able to meet and talk with them, having all records in the town office where she, the clerk/treasurer and assistant clerk/treasurer have access to the same information and can respond to taxpayers' questions. She mentioned respecting delinquent taxpayers' privacy while being firm in following the delinquent tax collection guidelines. She reviewed the properties that are still delinquent. One she will take to Small Claims Court and one will be put up for tax sale. While deciding on a tax sale is difficult, the Selectboard encouraged her to follow the process regardless of whose property it is.

The following changes have been made to the delinquent tax policy:

- 1) A delinquent tax payer has six months to set up a payment schedule. After that the door is closed for ongoing non-payment. History shows that serious delinquency costs the taxpayer more money;
- 2) A check returned for nonsufficient funds requires future payments to be made with a money order;
- 3) Balances of less than \$50 must be paid in full.

The delinquent tax collector is paid by penalty. This continues to be fair, Nedene said, unless the penalty is lowered.

A motion was made and seconded to adjourn the meeting. Motion passed 4-0. The meeting adjourned at 9:15 pm.

Respectfully submitted,

Donna Fitch, Clerk