

SELECTBOARD MEETING
Approved Minutes

January 9, 2012

7:00pm Calais Elementary School

Attending: Denise Wheeler, John Brabant, Mike Garand, Toby Talbot, Scott Bassage, Donna Fitch, Rolf Mueller, Alfred Larrabee, Peter Harvey, Carlene Moulton, Donald Moulton, Mary Ormsby, Jack Russell, Jennifer Whitman, Brian Pelchuck, Rick DeWolfe, Sharon Winn Fannon, Stephanie Kaplan, Dot Naylor, Gary Root, Jim Barlow, Joe McLean, Greg Pelchuck and Rose Pelchuck.

Prior to the beginning of the meeting, Scott Bassage reminded those in attendance the Selectboard agreed to test making audio recordings of the meetings. The recordings will be kept at the Town Office. The written, approved Minutes remain the official record of the meetings. Any questions should be directed to Scott Bassage at 456-8971.

Public Hearing on proposed changes to the Land Use & Development Regulations:

Denise Wheeler commenced the public hearing to discuss the changes the Planning Commission has put forward to be made to the current zoning regulations. The Planning Commission at a previous meeting provided the list of changes to the Selectboard. Dorothy Naylor distributed suggested changes she came up with.

Greg Pelchuck spoke about the new language asking for a reclamation plan and phasing during the preliminary open hearing with the DRB (Section 4.4 part B, Application Process). This detailed information would come from an engineer and one would not expect to have hired and paid for engineering work prior to the preliminary open hearing. Discussion continued about keeping the surety bond requirement in the regulations. The Planning Commission did listen to public input at their hearing and changed their position from *shall* require a surety bond to *may* require a surety bond.

John Brabant offered language to further clarify the option of surety as follows:
Section 4.4 Extraction & Quarrying, (E) Surety. For all extraction, a performance bond, escrow account, or other form of surety acceptable to the Selectboard *may, at the discretion of the Selectboard*, be required as a condition of approval to cover the cost of any regrading, reseeding, reforestation or other required site reclamation activity.

In response to Greg Pelchuck's above concern, Rick DeWolfe recommended the following language instead of having a reclamation plan and phasing plans ready for the preliminary open hearing:

Section 4.4 Extraction & Quarrying, (B) Application Process. (First sentence remains as is) The second sentence should be: *The applicant shall provide a written narrative describing the extent and magnitude of the operation and how it will be closed once the extraction is complete; the applicant and interested parties will review the narrative and decide what is necessary for conditional use review.* Rick noted this way it explains the project from start to finish.

Dot Naylor explained her suggested reconfiguration that she arrived at with Gary Root's assistance. The Planning Commission is in agreement with the proposed language Dot Naylor offered.

Scott Bassage made a motion to accept and incorporate the changes to the Land Use & Development Regulations recommended by the Planning Commission (attached) plus minor changes as presented by Dot Naylor plus John Brabant's language as noted above and Rick DeWolfe's language to include a written narrative in the preliminary open hearing as detailed above. The motion was seconded, voted and carried 5-0. The proposed changes will be voted on at Town Meeting Day in March. The public hearing portion of the meeting then concluded.

Actions:

Managing the Municipal Budget with Jim Barlow, VLCT – Jim Barlow was invited to speak to the Selectboard to offer his knowledge and expertise in municipal law and its application to managing municipal budgets. Jim Barlow stated his background is as a lawyer not an accountant. Jim Barlow provided copies of Model Financial Policies Handbook for a reference. Mr. Barlow's presentation included the following:

Reserve funds – funds that carry forward from year to year; funds set aside for capital purchases to accumulate from year to year until the time has come for the Selectboard to go out a buy the authorized item.

Town budgeting – Each year the Selectboard comes up with a budget and hopes the income and expenses meet up. Things like tropical storms or other unplanned expenses come up and you should have a way to save some money.

Unencumbered fund balance – funds that carry forward from year to year (only when legislature or voters allow it). Over time, no one remembers what it is for. It is good to have money in the bank to meet unexpected expenses.

Fund Balance Reserve Fund - to cover unanticipated expenses and revenue shortfalls. A municipality does need to ask voter approval to establish this reserve fund. This is how VLCT recommends you carry money over from year to year. When you establish the Fund Balance Reserve Fund, you should also come up with a town policy outlining the purpose. Reserve funds for specific purposes or general purposes but is targeted for the capital plan.

Capital Plan – come up with a plan of what you will need in the future and have the plan how to save for it.

Surplus Funds – money that was budgeted for highway or general operations and unspent at the end of the fiscal year. For example, the Highway Fund might have surplus funds in a year of a mild winter when a town did not use all the budgeted money for salt and sand.

Handling Surpluses – there is no state statute to follow when a municipality has a surplus. Jim Barlow recommends you show the surplus amount in the next year's budget line item as revenue. (For example, a surplus in FY 2011 would be shown as revenue in the FY 2013 budget since it would have been discovered during FY 2012.) The basic notion is you show it to the voters and let them know you have a revenue surplus.

Jim Barlow spoke about something that was planned to be expended in one fiscal year but it does not happen and can it be expended in the next fiscal year. The answer was yes as long as the intent remains but the further away from the end of the previous fiscal year, the discretion by the Selectboard to expend those funds diminishes. Jim Barlow stated a town should have all the money in one account rather than several different accounts to pool your money; it shows on the spreadsheet which area the funds are allocated to. In closing, Jim Barlow again referenced the Model Financial Policies Handbook and offered to be available for any questions. The Selectboard offered sincere thanks to Jim Barlow for the informative presentation tonight.

Zoning Violations, Appeals, Litigation, Personnel Matters – John Brabant made a motion to go into Executive Session with Joe McLean, Esq. and Stephanie Kaplan from the Conservation Commission at 8:20pm in accordance with 1 V.S.A. subsection 313 (a) (1) for the purpose of discussing ongoing legal issues relating to McCullough Crushing proposed expansion. The motion was seconded, voted and carried 5-0. Regular session resumed at 9:30pm. Denise Wheeler stated there was nothing to report.

Town Invoices and Road Commissioner's Orders of the Day - The Selectboard reviewed, discussed and processed the invoices and orders of the day as per usual protocol.

CVRPC and Central Vermont Economic Development Corporation proposed merger – John Brabant reported he went to a recent meeting to discuss the proposed merger of these two agencies. John reported they voted for a committee to go forward with researching the idea of merging. Peter Brough, Delegate to CVRPC, will let the Selectboard know what happens at the meeting tomorrow.

Ratify Raise for Road Crew Employee – Jim Corson requested a raise at his six-month evaluation. Toby Talbot made a motion to approve a \$1.50 per hour raise for Jim Corson effective retroactively to December 6, 2011. The motion was seconded, voted and carried 5-0.

Roads Advisory Committee - Tim Fillbach attended the first meeting of the Roads Advisory Committee on December 12th and would like to serve on the committee. Toby Talbot made a motion to appoint Tim Fillbach to the Roads Advisory Committee. The motion was seconded, voted and carried 5-0.

Road Commissioner Update – Alfred Larrabee reported the sand pile is going down. Toby Talbot received a phone call from a Collar Hill resident about having multiple flat tires from traveling on the Worcester

Road. Toby is trying to reach the person to further discuss it.

Tentative Agenda for the January 16th Meeting

- Kellogg Hubbard Library appropriation request – Dan Pudvah
- Woodbury Fire Department appropriation request – Steven Morse
- Mountain Tamers Snowmobile Club: annual request to use road segments – Jason Fielder
- Selectboard Budget FY 2013
- Highway Budget FY 2013

Other Business:

Scott Bassage has been going to the auditors meetings every Friday.

Rolf Mueller and Scott Bassage have been making good improvements to the town's website.

Toby Talbot drafted some budgetary stuff and circulated the information. Richard Kehne offered to assist devising a capital budget for the town. Scott Bassage made a motion to have Toby Talbot and Richard Kehne work together on the capital budget. The motion was seconded, voted and carried 5-0.

Public Comment on Non-Agenda Items– Denise Wheeler acknowledged Don and Carlene Moulton for public comment but limited them to 30 seconds due to the late hour and they were not on the agenda. Don Moulton said what he needs to say takes more than 30 seconds. Don and Carlene Moulton said the November 28th Minutes are not accurate. Denise Wheeler stated the board did not have time to put this on the agenda for tonight's meeting. The Moultons have requested to be on the agenda to discuss the ditch work done on their property on Lightning Ridge. Denise Wheeler said, "We'll get back to you." Denise said, "I figured you got my email." Carlene Moulton called Denise Wheeler requesting to be on the agenda and did not get a phone call in response. John Brabant said, "We'll have that conversation with you." Denise Wheeler said, "We'll be here." John Brabant said, "We will schedule you; if you hire a lawyer, we will then have to limit our ability to talk to you."

Other Business (continued):

Mike Garand has to attend the East Montpelier Selectboard meeting next week but will arrive as soon as he can get here.

Toby Talbot made a motion to adjourn at 9:50pm. The motion was seconded, voted and carried 5-0.

Respectfully submitted,

Rose Pelchuck
Selectboard Administrative Assistant