

Minutes of the East Montpelier Selectboard

December 2, 2019 Selectboard Public Forum on Creating an East Montpelier Conservation Commission

SB Attendance: Chair Seth Gardner (arrived at 6:30 p.m.), Gene Troia, Amy Willis, Carl Etnier and Casey Northrup; Town Administrator Bruce Johnson

Public Attendance: Eric Esselstyn, Michael Duane, Ginny Callan, Erica Zimmerman, Steve Justis, Paul Cate, Sandal Cate, Bruce Howlett, Carol Dickson, Charles Johnson, Jack Pauly, Jean Vissering, Julie Potter, Bob Klein, Lindy Biggs, Kimberly Jessup, Gianna Petito, Sharon Plumb

Vice-chair Troia opened the forum at 6:08 p.m. and provided a brief introduction explaining that the forum was designed to provide feedback to the Selectboard on the advisability of moving forward with an effort to create an East Montpelier Conservation Commission. Mr. Troia then asked Charles Johnson to explain the proposal.

Mr. Johnson and Mr. Howlett, both part of the Conservation Fund Advisory Committee, described the development of the original proposal and its evolution over the past few months to reflect feedback from townspeople, affected committees, and the Selectboard. The basic concept is for the town to authorize the creation of a conservation commission as envisioned in Vermont statute, probably by direct town vote but town adoption of a charter change is also allowed creation methodology. The commission would then direct the town's activities in natural resource areas, with oversight by the Selectboard. The commission would likely have 9 members and could meet on a regular twice-monthly basis, like the Selectboard and Planning Commission.

Potential upsides to the creation of a conservation commission include providing a regular forum for the discussion of relevant issues, enabling a powerful voice that would have direct access to town and state officials, and improved access to funding sources. Over 100 Vermont municipalities have conservation commissions.

A key issue is how the commission would fit with the town's existing committees that handle aspects of the potential commission's statutory purview. Forum participants expressed concern that the existing committees might be completely subsumed by the commission or would have to answer to the commission, lending a bureaucratic element that might eliminate committee independence, crushing volunteer morale and the vital energy that makes towns work. Rebuttals were given that current committees often suffer long dormant periods and struggle to work together. Further, it's difficult for either the Selectboard, given its wide variety of duties, or the Planning Commission, which is often fully focused on major projects, to provide oversight and direction to the smaller committees. A conservation commission could do that and provide outside organizations with a single entity to deal with on environmental/conservation/natural resource issues, rather than having to chase after disparate committees.

As the forum wound down, a consensus appeared to form around the concept of having the Selectboard move forward with a 2020 Town Meeting Warning article on the topic, allowing for a broader conservation than even a well-attended forum can provide. Development of an acceptable

framework for how existing committees would work with a conservation commission remains a vital component for the successful conclusion of this effort.

Vice-chair Troia thanked all the participants and closed the forum at 7:18 p.m.

December 2, 2019 Selectboard Meeting

SB Attendance: Chair Seth Gardner, Gene Troia, Amy Willis, Carl Etnier and Casey Northrup; Town Administrator Bruce Johnson

Public Attendance: State Representative Kimberly Jessup

Chair Gardner called the meeting to order at 7:20 p.m.

Additions to Agenda:

- **Consideration of Transfer of Funds from General Fund to Other Town Funds as Budgeted**
- **Discussion on Options for Taking of Board Meeting Minutes**
- **Renewal of HIAS (Health Insurance Advisory Services) Agreement with VLCT and Hickok & Boardman**
- **Discussion on Possible Appointment of a Town Representative to the Wrightsville Beach Recreation District Board**

Minutes:

The board tabled review of the draft November 19, 2019 minutes until the December 16, 2019 board meeting.

Public Comment: None

Conversation with Candidates for Town Representative to the CVSWMD Board of Supervisors

Two candidates, Chris Beling and Ann Stanton, had expressed interest in serving as the town's representative to the Central Vermont Solid Waste Management District's Board of Supervisors. Unfortunately, neither could make this evening's meeting. Ms. Beling had informed TA Johnson that she would withdraw her candidacy if she did not attend the meeting.

Motion: To appoint Ann Stanton as the town's representative to the CVSWMD Board of Supervisors. Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Consideration of VLCT Cannabis Resolution Re Municipal Role in Commercial Cannabis Marketplace Regulatory Scheme

The Vermont League of Cities and Towns is asking towns to support a resolution upholding a strong local role in whatever regulatory scheme is put in place by the Vermont legislature for the

anticipated commercial cannabis marketplace. VLCT reports that to date 5 communities have adopted the resolution: Springfield, Brattleboro, Stowe, Windsor, & Williston.

Board members reviewed the resolution, an August 2019 VLCT newsletter article on the topic, and two recent Times Argus articles on the issue dealing with discussions in Barre Town and Springfield. Representative Jessup provided an update on the current status of the legislation. After a discussion on various elements in play regarding the potential cannabis marketplace and the role of municipalities, the board decided to adopt the resolution to provide VLCT support in its lobbying efforts.

Motion: To adopt as presented the VLCT resolution supporting municipal authority in a commercial cannabis system and to authorize Chair Gardner to sign the document attesting to the adoption. Made by Mr. Troia; second by Mr. Etnier. Passed unanimously.

Adoption of 2019 East Montpelier Hazard Mitigation Plan

The updated hazard mitigation plan, replacing the one adopted in 2012, has received “approval pending adoption” status from VT Emergency Management. VEM is operating under a pilot program whereby it stands in for FEMA (the Federal Emergency Management Agency) in determining the acceptability of plans. The next step is for the board to formally adopt the plan by resolution signed by all members. Once the resolution of adoption is finalized, it will be added to the plan, which will then be shipped back to VEM for a final check and formal approval. VEM then notifies FEMA, which will issue the necessary approval letter, which completes the process.

Motion: To adopt by resolution the 2019 East Montpelier Hazard Mitigation Plan. Made by Mr. Etnier; second by Mr. Troia. Passed unanimously.

Members signed the resolution.

Preliminary Discussion on FY2021 Budget Development

The SB reviewed a draft budget that anticipates a 5% overall increase (nearly a 3-cent tax increase). The expense side is up 3.5%, driven by over \$20,000 rises in the cost of both health care and emergency services. Revenues are expected to decrease by 5% due to a large fall off in traffic ticket income and the elimination of the annual \$9,000 payment from the East Montpelier Elementary School District for treasurer services. The board would like to limit the tax increase to a maximum of two cents. Work on the budget will continue at all the meetings through January 2020, with a focus on the highway lines at the January 6, 2020 meeting.

Preliminary Discussion on 2020 Town Meeting Warning

The very preliminary draft warning includes potential articles still under consideration:

- The shift of the constable from an elected to an appointed position;
- Town authorization to sell a portion of the town-owned Old LaPerle Farm parcel;
- Numerous funding articles, including the addition of Twin Valley Seniors as a standalone article and the reappearance of an article benefitting Cross VT Trail; and,
- The creation of an East Montpelier Conservation Commission.

The board discussed the shift at 2020 Town Meeting from a joint town & school meeting to simply a town meeting as the new 5-town school district will operate on its own schedule. A potential topic for discussion at town meeting is the possibility of ending the Saturday-before-town-meeting information forum and switching to a forum scheduled to coincide with a regular Selectboard meeting.

Consideration of Transfer of Funds from General Fund to Other Town Funds as Budgeted

Now that the town is past the first property tax installment deadline and the coffers are reasonably full, Treasurer Welch has requested authorization to move the listed FY2020 budget line amounts for the capital reserve fund (\$435,234), for the Recreation Board (\$3,500) and for cemetery maintenance (\$17,250) out of the general fund and into the pertinent small account funds. This is an annual necessity as these involve budget lines in the Selectboard's budget, over which the board has discretion, as opposed to town-voted appropriations like the funding for the Four Corners Schoolhouse Association and the East Montpelier Signpost.

Motion: To authorize Treasurer Welch to move the full amount of the three requested FY2020 budget lines from the general fund to the affiliated small accounts when he deems it appropriate, but prior to the close of FY2020 on June 30, 2020. Made by Mr. Troia; second by Mr. Etnier. Passed unanimously.

Discussion on Options for Taking of Board Meeting Minutes

Mr. Etnier has been serving as the board's recording secretary for over five years and is ready to pass the baton. No other board member has interest, so the position will be advertised at a pay rate of \$15/hour. TA Johnson will serve as the minutes taker until a new recording secretary is brought on board.

Renewal of HIAS (Health Insurance Advisory Services) Agreement with VLCT and Hickok & Boardman

Prior to the town's shift in 2019 to a health insurance association plan we had been paying \$1,400/year to VLCT to be part of HIAS, which essentially gave the town the services VLCT had always provided at no direct cost (as the cost was buried in the health insurance premiums) before the Affordable Care Act and the development of VT Health Connect. While under the association plan, VLCT once again could receive direct payment through the premiums the town paid. Now that association plans have been banned, the town has had to revert to the VT Health Connect offerings and there is a need to re-up the HIAS agreement to maintain access to the important VLCT services. The cost will be the same \$1,400/year that we were paying previously.

Motion: To authorize TA Johnson to complete the Health Insurance Advisory Services agreement. Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Discussion on Possible Appointment of a Town Representative to the Wrightsville Beach Recreation District Board

At its September 23, 2019 meeting the board decided, by a 3-2 vote, not to reappoint Kim Kendall as the town's representative to the Wrightsville Beach Recreation District Board. The District's manager, Collin O'Neil, has requested that the Selectboard reconsider that decision. Mr. Etnier reported that a Montpelier member of the District's board, Jon Copans, would also like to see Ms. Kendall be reappointed.

Motion: To appoint Kim Kendall as the East Montpelier representative to the Wrightsville Beach Recreation District Board for a three-year term, to September 30, 2022. Made by Mr. Etnier; second by Mr. Northrup. Passed unanimously.

Board members agreed to rescind this appointment if Ms. Kendall failed to accept this appointment in writing by December 16, 2019.

Warrants

Members signed warrant.

Other Business**Town Administrator Report**

- Town Office Oil Tank Inspection
 - The November 20, 2019 every-three-year fuel oil tank and associated pipes inspection by Packard Fuels resulted in a finding of barely acceptable. The tank is unlikely to pass the next inspection. Replacement of the tank, pipes, line to the furnace can run upwards of \$2,000-\$3,000.
- Potential Town Absorption of East Montpelier Trails, Inc. (EMTI)
 - EMTI has submitted a letter to the board requesting that the town consider taking control of the trail system. The board agreed to begin a conversation with EMTI on the concept. TA Johnson will try to arrange a discussion with EMTI at a board meeting in February 2020.
- EM Village Sidewalk Project Update
 - The project is on track to go out to bid in January with the intent to start construction early in the 2020 construction season. The town needs to contract with a resident engineer to monitor/manage construction. The town will utilize the VTrans At-the-Ready process, which enables selection of an RE from a list of pre-vetted firms rather than having to go through a full request-for-proposals procedure.
- Town Office Heat Pump Update
 - We're awaiting a report from Andy Shapiro detailing the size units necessary for effective heating and cooling. At this point we are still working off the proposal provided by Cacicio's Heating. Alco Energy has not submitted a proposal
- Town Office Generator Installation Update
 - Necessary electrical work for the generator, including an upgrade to 200 amp service, was successfully completed on November 22nd. We're now awaiting a

meeting with our contractor, Bushey's Generator Sales & Service, to complete the installation and training.

- Update on Upcoming Joint Meeting with Calais Board
 - The Calais Selectboard has agreed to meet with the EM board to discuss the EMFD FY2021 budget as part of our December 16th meeting. The joint element would be at 7:00 p.m., with the meeting itself starting at 5:00 p.m. All organizations scheduled for that night have agreed to earlier agenda times.
- Meeting Schedule:
 - December 5, 2019 7:00 p.m. Joint budget meeting with Calais & EMFD at ESF
 - December 13, 2019 5:00 p.m. Town volunteer appreciation event
 - December 16, 2019 5:00 p.m. Selectboard regular meeting
This includes a 7 p.m. joint meeting with Calais
 - January 6, 2020 6:30 p.m. Selectboard regular meeting

Zoning Administrator Report

- There have been no new applications since November 19, 2019 SB meeting. There has been a total of 65 applications so far in 2019.
- The next DRB meeting is December 3, 2019. There are two warned hearings: a 2-lot subdivision of the Thornton parcel at 3205 North Street; and, a 3-lot subdivision of the Coburn property at 139 Daggett Road.

Motion: To adjourn. Made by Ms. Willis; second by Mr. Northrup. Passed unanimously.
Meeting adjourned 9:25 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: December 16, 2019 East Montpelier Selectboard meeting