

## **Minutes of the East Montpelier Selectboard**

### **September 13, 2021 Selectboard Meeting**

**This meeting was held in-person at the town office building with a remote participation option using the Zoom conferencing platform.**

**SB Attendance:** Chair Seth Gardner, Amy Willis, Judith Dillon (remote), Jon Jewett and Carl Etnier; Town Administrator Bruce Johnson

**In-Person Public Attendance:** None

**Remote Public Attendance:** Central VT Regional Planning Commission Executive Director Bonnie Waninger, Planner Grace Vinson; EM Funding Request Study Committee Members Lindy Johnson, Kate Rader, Sarah Kinter, Ginny Callan and Paul Erlbaum

Chair Gardner called the meeting to order at 6:30 p.m.

**Additions to Agenda:** None

#### **Minutes:**

Chair Gardner presented the draft minutes of the August 23, 2021 board meeting.

**Motion: To approve the August 23, 2021 minutes as presented.** Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Chair Gardner presented the draft minutes of the August 30, 2021 board meeting.

**Motion: To approve the August 30, 2021 minutes as amended.** Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

**Public Comment:** None

### **Consideration of Resolution for EM Village “Village Center” Designation Renewal**

In 2008 East Montpelier Village was approved by the state Downtown Board for village center designation, a state program designed to support the revitalization of local communities by providing benefits such as tax credits for business improvements and priority consideration for certain state grant opportunities. The designation was renewed in 2013, with that renewal extended to an 8-year period as a result of a legislative change. The application for renewal of the village center designation is due October 4<sup>th</sup>. The Planning Commission, working with CVRPC, has developed the application, which calls for no changes in the village center boundaries. One necessary element is a Selectboard resolution supporting the renewal of the designation.

**Motion: To adopt the resolution regarding the application for renewal of the East Montpelier Village “Village Center” designation.** Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

**Town Treasurer Monthly Financial Report**

Treasurer Welch provided the August 2021 monthly report produced in accordance with the town's Accounting, Auditing and Financial Reporting Policy for review by the board.

**Conversation with Funding Request Study Committee**

The Funding Request Study Committee reviews requests from civic organizations for town funding, preparing a report that underpins the funding request article voted on at town meeting day. This year's application packet will go out to 35+ organizations by September 24<sup>th</sup> with a due date of October 22<sup>nd</sup>. The committee will present its recommendations to the SB at the December 20, 2021 board meeting.

The total funding recommended last year was \$21,466. Only one new organization, Friends of Coburn Pond, has signaled an intent to apply for funding. As always, a major concern for the board and committee is that the funding request article stay below the cap of \$25,000 for appropriation articles subject to a floor vote (as opposed to Australian ballot) at town meeting. Absent any unforeseen circumstances, both board and committee members agreed that this year's funding request increase should not exceed 10%.

The board sets separate warning articles for organizations requesting large appropriations, including Twin Valley Seniors, Inc., Central VT Home Health & Hospice, Montpelier Senior Activity Center, Kellogg-Hubbard Library and the commuter bus route funding for Rural Community Transportation & Green Mountain Transit. These organizations will present requests directly to the SB at the December 20<sup>th</sup> board meeting.

The SB thanked committee members for taking on the job of vetting these organizations and looks forward to seeing their recommendations on December 20<sup>th</sup>.

**Warrants**

- **September 13, 2021 Regular Warrant for Approval**
  - Board members reviewed and signed the warrant.

**Conversation on American Rescue Plan Funds Utilization**

**Bonnie Waninger, CVRPC Executive Director**

**Grace Vinson, CVRPC Planner**

Ms. Waninger, a frequent visitor to board meetings, introduced Ms. Vinson, CVRPC's emergency management planner who will serve as the lead ARPA contact for CVRPC's member municipalities.

The town has received its first year "county" allocation of \$247,750.93 which, coupled with the previously received "town" allocation of \$133,529.23, gives East Montpelier a current total of \$381,280.16. An equivalent second round of funding is expected next August. Ms. Waninger gave a quick recap of the ARPA funding guidelines, emphasizing four major elements:

- The town has until the end of 2024 to "obligate" (essentially commit to expend for certain purposes/projects) and the end of 2026 to actually expend the funds.
- Although the general categories acceptable for use of the funds are known, the specific details applicable to the categories are still governed by the US Treasury's interim rules and are likely to be altered/refined to some extent in the final rules, which are expected to be released by

November. The state, VLCT and CVRPC will get updated guidance out to the towns soon thereafter.

- There is plenty of time to make decisions. Go slow, reach out to the public, and develop broad consensus on the projects eventually targeted for funding. Try to leverage the benefit of the funds through the use of other state and federal recovery programs, understanding that the ARPA funds cannot be used as the required local match for other federal funding.
- The town will retain the bottom-line responsibility for the proper utilization of the funds and thus will be at risk for clawback – the ability of the federal government to require repayment of funds improperly, in terms of the program rules, used. Any entity the town might grant some of the funds will be responsible to the town under whatever agreement put in place by the town.

Ms. Vinson commented that the first annual report to the US Treasury Department is due October 31, 2021. If the town takes no action on the program funding before that date, the report will be exceedingly simple.

Ms. Waninger and Ms. Vinson responded to questions regarding the two requests for ARPA funding already received by the town. The request from CVFiber for funding from EM and neighboring communities to extend broadband to underserved residents has drawn significant attention. The original requests implied that the ARPA funding would act as cash flow support to allow the entity to move in advance of receipt of expected significant grant funding from other sources. Ms. Waninger, who is working with CVFiber, made it clear that, although broadband access expansion is one of the authorized categories, use for cash flow is not allowed and there needs to be an effort to link the EM funds provided with improved infrastructure for EM residents.

The other request is from Twin Valley Seniors, Inc. for funding to install a heat pump system at the Twin Valley Senior Center. The issue with this request is the tenuous connection to public building ventilation improvements that respond to the public health emergency. Twin Valley will need to document how the heat pump system would improve air flow and mitigate the spread of COVID-19.

Board members thanked Ms. Waninger and Ms. Vinson for the very helpful guidance. The board by consensus decided to table action, other than possible outreach to the public for feedback on possible projects, on ARPA funding utilization until after the final rules are issued and updated guidance is distributed to the municipalities.

### **Update on Regional Emergency Management Committees** **Grace Vinson, CVRPC Planner**

Ms. Vinson described the recent programmatic shift in emergency management at the regional and state levels. The regional Local Emergency Planning Committees (East Montpelier was in LEPC 5) were dissolved earlier this year in favor of a statewide Local Emergency Planning Committee. New Regional Emergency Management Committees (REMCs) are being created to handle emergency planning and preparedness activities. The regional planning commissions, funded by the state, will provide administrative support for the committees. One of the REMCs will include the communities that comprise CVRPC's membership, all of Washington County plus Williamstown, Washington and Orange.

Every municipality will have two voting representatives appointed by its governing body. One will be the municipality's emergency management director (Mr. Gardner, as Selectboard chair, is East

Montpelier's EMD) or his/her designee and the other will be a representative from the municipality's emergency services community. The intent is to have the REMCs in place by November.

### **Discussion on Town Management in Light of COVID-19 [Potential Executive Session]**

The municipal offices continue to operate under the August 12<sup>th</sup> update of the board order, which reinstated the requirement for mask use when in the presence of others. On August 30<sup>th</sup> the board adopted a resolution regarding mask use at local business establishments. Neither element has drawn any opposition from employees or the public. The board left both measures in place and will revisit the issues involved at its October 4<sup>th</sup> meeting.

The board opened a discussion on the topic of employers imposing vaccine mandates. TA Johnson requested that the board enter executive session for disclosure of protected personnel information.

**Motion: To go into executive session under 1 V.S.A. §313(a)(6) – records exempt from the access to public records provisions of section 316 of this title; provided, however, that discussion of the exempt record shall not itself permit an extension of the executive session to the general subject to which the record pertains.** Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

The board entered executive session at 7:51 p.m. and exited at 8:06 p.m. No action taken.

The board continued discussion on employer vaccine mandates, focusing on expectations for employees that decline to get vaccinated. Board members decided to curtail the conversation in order to provide an opportunity to research the issue further before any decision was made. The board will hold a special meeting on Monday, September 20, 2021 at 7:30 p.m. for the purposes of exploring the options for imposing some form of vaccine mandate on town employees in line with recent actions by President Biden and Governor Scott.

### **Personnel Matters: Town Office Positions [Potential Executive Session]**

#### **➤ Discussion on Existing Town Office Positions & Future Needs**

- Both Don Welch, the town treasurer, and Denise Sparrow, the municipal assistant who serves as the assistant treasurer, intend to retire by next summer. The board had previously decided to view this transition, and the likelihood that there will be other retirements in the not-to-distant future, as an opportunity to review the entirety of the town office job structure. TA Johnson requested that the board enter executive session to allow for dissemination of employee evaluation information to facilitate future discussion on the development of a framework of town office positions to best provide municipal services for the community.
- **Motion: To go into executive session under 1 V.S.A. §313(a)(3) – the appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting.** Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.
- The board entered executive session at 8:08 p.m. and exited at 8:17 p.m. No action taken.
- Board members discussed the current job framework at the town office, which includes a mixture of elected, appointed and normal employee positions. The desire is to create a structure that can weather the anticipated departure of most of the current staff over the

next few years and continue to meet the ever evolving and expanding expectations for the provision of municipal services. This is only the start of a long-term review and development process.

➤ **Discussion on Town Treasurer Transition**

○ **Job Expectations, Job Format & Job Description**

○ **Process for Recruiting & Selecting New Treasurer**

- Board members combined these two elements into one general discussion on how to move forward with the replacement of the town treasurer. In line with the previous conversation, the focus was on envisioning the structure of the treasurer position, with the understanding that the existing position was designed specifically for Treasurer Welch.
- There is an East Montpelier Charter requirement to have a hiring committee that handles the search and will recommend candidates for the board's consideration. Board members see that as part 2 of the process, conducted after the board, either on its own or with assistance, determines the parameters of the position. The board will dig deeper into that aspect at its October 4<sup>th</sup> meeting.

**Other Business**

**Town Administrator Report**

- Update on EMFD Emergency Services Agreement Status:
  - EMFD has declined to accept the proffered new agreement from the Calais and EM boards. All parties have executed the 3-month time extension MOU for the still-current agreement. EMFD expects to provide detailed feedback in the near future.
- Brazier Road Speed Concern:
  - With U-32 back in session, concerns have been raised once again about speed management on Brazier Road, especially as it nears Center Road. The VT State Police, under contract with the town, monitors that area at the request of the board.
- Meeting Schedule:
  - October 4, 2021          6:30 pm          Selectboard regular meeting
  - October 18, 2021       6:30 pm          Selectboard regular meeting

**Zoning Administrator Report**

- There were 4 new zoning permit applications since the August 23<sup>rd</sup> SB meeting. There have been 58 applications so far in 2021.
- The next DRB meeting is tentatively scheduled for October 5, 2021.

**Motion: To adjourn.** Made by Ms. Willis; second by Mr. Jewett. Passed unanimously.  
Meeting adjourned at 8:34 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

**Approved:    October 4, 2021 East Montpelier Selectboard meeting**