

**Town of East Montpelier
Selectboard Memo
Oct 21, 2024, SB Meeting**

Possible additions to the Agenda

- Listers RFP for Reappraisal

Review Minutes:

- Oct 7, 2024, Minutes

USDA Rural Development Bond Option for Town Garage Discussion with Brandi Thompson

- The program's current rate is 3.875 and this is subject to change quarterly and there is a 20 and 30 year schedule provided.
- Brandi Thompson, Community Programs Director for NH & VT Rural Development from The United States Department of Agriculture, will review the program further via Zoom.

1495 Coburn Rd Discussion with Karen Meisner & Par Winzell (Owners)

- East Montpelier Property Information:
 - Address: 1495 Coburn Rd
 - SPAN #: 195-062-11049
 - TOTAL TAXABLE VALUE: \$343,000
 - 2024-25 Non-Homestead Tax Billed/Due: **\$9,361.84**
- The owners are requesting a FEMA buyout of their property located at 1495 Coburn Rd which straddles both East Montpelier and Plainfield.
- Per the East Montpelier Town Lawyer:
 - The newly created green space could all be owned by Plainfield & would be tax-exempt by default under the Vermont Statutes, for its "public, pious, or charitable use."
 - No agreement with Plainfield is needed, as the property would be exempt under the "public, pious, or charitable use" exemption found at 32 V.S.A. §3802(4). To qualify for the "public, pious, or charitable use" exemption, the property must meet the three-part *American Museum of Fly Fishing* test. First, "the property must be dedicated unconditionally to public use." Second, "the primary use must directly benefit an indefinite class of persons who are part of the public, and must also confer a benefit on society as a result of the benefit conferred on the persons directly served." Third, "the property must be owned and operated on a not-for-profit basis." *American Museum of Fly Fishing, Inc. v. Town of Manchester*, 151 Vt. 103 (1989).
 - The FEMA-mandated permanent deed restrictions would satisfy the first *American Museum of Fly Fishing* element, requiring the property to be dedicated and maintained in perpetuity for open space, recreation, etc. With respect to the second element, the primary use (open space) would directly benefit recreational users of the property, as well as downstream property owners who would receive an additional measure of flood protection. Finally, ownership by the Town of Plainfield would satisfy the third requirement. Like any IRS-recognized charitable organization, the Town of Plainfield is a tax-exempt entity, and its ownership and

use of the property would be on the not-for-profit basis that the *Fly Fishing* test requires.

- Since 32 V.S.A. §3802(4) is a statutory exemption and no local vote or agreement is required, the property would be exempt from both municipal and statewide education property tax.

Lister Cellphone Request (possible motion)

- The phone is free and then additional monthly fee \$39.99 unlimited talk, text, data

Warrants

- **Oct 21, 2024 Regular Expense Warrant**
 - The warrant should be signed by all Selectboard members present. If an “in-person” quorum is lacking, the warrant should be approved by one of the in-person Selectboard members authorized to sign the warrant on behalf of the Selectboard.

Town Administrator Report

- 600 voters have voted out of 2100 voters so far.
- Funding Request Study Committee Applications are in, and the committee is reviewing them, and their meeting will be Nov 7, 9:30am.
- Town Garage Mailing sent to EM voters 10/17/24
- Town Hill Paving and Sanders Circle work is now in progress
- TA & Treasurer meeting with Downstreet 10/28/24
- Tax Sale will be Jan 9, 2025 10am
- Sullivan, Powers & Company Auditor Discussion at 11/4/24 Selectboard Meeting
- Reminder - Town Garage Tour is Saturday, Nov 2nd, 2024, 8:30am- 9:45am light refreshments will be provided at the Town Garage and Town Garage Forum at the Elementary School at 10:00am
- Reminder- Vote on Town Garage is Nov 5th, 2024, 7:00am-7:00pm

Meeting Schedule:

October 21, 2024	6:30 p.m.	Monday, Regular Meeting Date
November 2, 2024	8:30 a.m.-9:45 a.m.	Saturday, Town Garage Tour with light refreshments at the Town Garage
November 2, 2024	10:00 a.m.	Saturday, Town Garage Forum at Elementary
November 4, 2024	6:30 p.m.	Monday, Regular Meeting Date
November 5, 2024	7:00 a.m.- 7:00 p.m.	Tuesday, Voting Day- (includes Town Garage Vote)
November 18, 2024	6:30 p.m.	Monday, Regular Meeting Date
December 2, 2024	6:30 p.m.	Monday, Regular Meeting Date
December 16, 2024	6:30 p.m.	Monday, Regular Meeting Date