

Selectboard Meeting Minutes

June 26, 2023

Present: Doon Hinderyckx (zoom), Frank Severy, Pat Harvey

Guests Present: Dean Mendell, Bruce Marshall & Jeanine Weir, Dan Mckinley, Sandy Haas, Jan McCann, Terry Severy, Kristen LaPell, Orca Media, Norm Christiansen, Robert Finkle,

Guests Present on Zoom: Orca, Troy LaPell, Robert Franks, Tim Calabro

Pat called the meeting at 6:15 p.m.

Pat confirmed the open meeting law conformity.

Pat moved to approve the June 12, 2023, meeting minutes. Frank seconded. All in favor. So, approved. Pat moved to approve the June 22, 2023, special selectboard minutes. Frank seconded. All in favor. So, approved.

Approve May Treasurer's Report: Pat and Frank had read the May treasurer's report. Pat moved to approve. Frank seconded. All in favor. So, approved.

Removal of a Planning Commission Member: Pat read the letter from the Planning commission asking to remove a member of the committee that had not attended several of the meetings or responded to any requests. The letter asked the board to use their power under statute 24 VAS section 4323(a). The board needs an active 7-member board while they update and revise their zoning bylaws. Pat moved to approve their request to remove a member so they could appoint a new member. Frank seconded. All in favor. So, voted. Robert Franks asked what ghosting meant in an email he received from Doon. Pat said it means was not visible.

Approve to abate delinquent tax amounts \$5 or less: Pat moved to approve abating a total of \$21.65 for delinquent tax amounts of \$5 or less. Frank seconded. All in favor. So, approved.

Sign the Audit Engagement Letter for FY23: Pat shared it's that time of year again to have the auditors come in to audit the town accounts. She said they are very pleased with Pace and Hawley. She moved to sign the engagement letter. Frank seconded. All in favor. So, approved.

Rec Department/Skatespace-Mendell: Dean spoke to the board about a letter he sent them recently. He shared they are currently pursuing 11 grants to pay for Skatespace to be rebuilt and pay for the legal fees for the boundary line adjustment for Martha Slater's property. The Vt State Recreation Grant is due in September and the committee is asking the board for support and help to put the project out to bid. Dean noted he has written up the scope of work for the project. The board supported his efforts and will give guidance for the bid proposal.

Slavery In Vermont- Marshall, Weir: Bruce spoke to the board about how they came to town to get help and asked the board to enforce their by-laws. They are asking the board generally to

do their job. They felt they hadn't been helped truthfully. Jeanine spoke about how they came to the town numerous times, and they weren't given honest responses. They felt they had been perceived by the town, the legal system, a corporation in Vermont and their legal counsel all engaging in extremely unethical brutal behavior towards them. They feel their rights can't be denied. They asked Doon to give Lyman Hall Inc. a notice of violation. The plat map from 2003 and 2018 needs to be removed from the land records. They violate the local bylaws and the State of Vermont and includes fire codes. Jeanine is asking that all parties support Doon to do his job. She also indicated that Julie Smith needs to follow the law and not record the judgement Lyman Hall against them. She said there needs to be ethics and honesty. She said otherwise there is a continuance of grave brutality towards them. Pat read the whole document Jeanine and Bruce sent out to various departments of the town. Pat said that at this point in time, the town had recognized that a second notice was issued of Bogus Quorum of Non Judice and a legal judgement. And that you have in fact filed that paperwork. Jeanine corrected Pat and stated that all they said was the town needs to do their job. Pat said at this point we have the right to secure council, which we have done. She said this will go on until there is a resolution found. Bruce stated there is a resolution and it's in the land records. There is a valid judgement in the land records. Power and authority come from the people. The judge is a substitute authority. She is not the true authority. He said they are not going to be enslaved by any of these people who take the authority away from the people. That is their authority to have a court. Pat said we are going to go on the advisement of our council. Jeanine said slavery does exist in Vermont and they have experienced it.

Accept and approve RHSRC to proceed with D&K's Floodgate Design: Kathryn spoke to the board to update and share information about the status of the High School. She said they are currently at the brownfield's environmental assessment, the flood plain mitigation plan, and the removal of the tank. She said they have been communicating with Grace Vinson the state environmental officer, who is waiting for the flood plain mitigation design so that she can respond to whether it meets the HUD guidelines. Kathryn shared we really want to be eligible for HUD funding because we are looking for a few million dollars. She shared Bernie Sanders has supported this project and has gone to the appropriations committee. She shared with us under the account of USDA community facilities account that is HUD funding. She said Eric Law has reviewed the project. He is from USDA and all the boxes are checked positively. We mitigated the floodway with a boundary adjustment and that has been resolved. The high school auditorium is in the flood plain as of taking in water during tropical storm Irene. They have an engineer through D&K and D&K have done the work for the surveys. D&K happens to have an employee who has experience with flood plain mitigation design. They have submitted a scope of work and invoice for creating the mitigation design for the flood plain. There are initial funds left in the planning grant we received in 2021 to cover the cost of this design. This design is very important because it will allow us to move forward with the rest of the project. Kathryn submitted the document to the board for their approval and signature. Pat stated the cost of this work is \$3,500.00. Pat asked if we could confirm the balance is indeed available in the grant. Kathryn shared that Sarah Wraight did confirm the amount is available. Pat asked if those available funds were earmarked for other things. Kathryn shared that once we get the design, we have what we need to get the extra \$10,000 they are eligible for. Kathryn shared the next phase in the environmental process is the testing and sampling of the property. She said the work plan is being developed right now. We received a grant for \$32,000 from the Department of

Environmental Conservation. She indicated the proposal from VHB didn't include the cost to remove the tank. She indicated how Sarah Wraight had been working for the past three weeks to push that. She emailed Kathryn today that they are moving ahead with the proposal of the cost of the tank removal. The project looks to be done by the end of August.

Planning Committee requisition discussion: Dan spoke to the board asking for additional funds to finish the work with help from Sarah Wraight and Kevin Geiger from Two Rivers as they update and revise the town's bylaws. They will be finalizing the bylaws by the end of the year. There will be a hearing and after the hearing it will go to the selectboard for approval. Pat suggested the board investigate their request and find available funds from the budget to finish the project.

Approve & Sign Kristen's pay for Grant Administration: Board signed and approved for Kristen to be reimbursed for the work she has been doing administrating the grants. Pat moved to approve. Frank seconded. All in favor. So, approved.

Approve Driveway Permit for Nick d'Arbeloff, Rogers Peak Forest, LLC: tabled for now. A location will be ribboned off for the road foreman to see the intended location.

Shelter Team and personal issue-McCann: Jan asked the board if the shelter team could have a budget from the town as they had in the past. Frank told Jan to submit a budget in the fall and they would review it at that time. Jan also asked if she could put up signs for no mowing before the road crew would be doing the roadside mowing. Pat said if anyone wants to have their area left from mowing, they will need to reach out to the town clerk.

Highway Update: Frank shared the crew are working on North Hollow Road and Moose Run ditching currently. The contractor working on the bridge has one wing done and will be backfilling and starting the other side after the fourth. Frank noted he is ahead of schedule.

Utilities Operator Update: Terry will need to submit a report by Friday from Dubois and King. He also shared the tanker back from the shop for the Fire Department.

Grant Updates: Kristen shared with the board they have receive the reimbursement requisition #3 from The High School study in the amount of \$ 9,226.74.

Pat moved to adjourn the meeting at 7:20 pm.

Respectfully submitted,
Julie Smith