

WAITSFIELD SELECTBOARD
April 22, 2019
Waitsfield Town Office
6:30 P.M.

Board Members Present – Paul Hartshorn, Chair; Sal Spinosa, Vice Chair; Darryl Forrest, Jon Jamieson, Kellee Mazer

Others present: Fred and Carla Messer, Sean Lawson, Steve Shea, and WCTV.

Staff: Trevor Lashua, Town Administrator

The meeting was called to order at 6:30 pm

II.1. Agenda additions, removals, or adjustments per 1 V.S.A. § 312 (d) (3) (A).

None.

II.2. Public Forum

None.

**The Board moved to Item II.4 while awaiting the attendance of representatives for the liquor license application.*

Item II.4. Consider Approving Local Emergency Management Plan [LEMP].

The following is reprinted from the Town Administrator’s report of 4/8: “Fred and Carla Messer, the Town’s Emergency Management Director and Coordinator, respectively, will attend the 4/22 meeting to review and discuss the 2019 Local Emergency Management Plan (LEMP). The LEMP, formerly known as the LEOP (Local Emergency Operations Plan), is the document in which the Town formalizes its emergency management response protocols. The Selectboard is required to approve the LEMP annually on or before May 1st. An approved LEMP is submitted to the Central Vermont Regional Planning Commission as well.”

The reason for the change in title was to reflect that the plan is to manage emergencies. A Selectboard member with a minimum level of ICS (Incident Command Systems) training or other individual with ICS training needs to be a designated person to open and set up the emergency operation center (EOC) location. They would need access to the meeting room at the Town offices to set up. The State would also need to know if the operation has officially opened to respond to the emergency. In order for the state to recognize an individual as an acting authority and for State reimbursement they need to complete the FEMA ICS training. Paul, Sal, and Fred are the only ones to have completed the course in Waitsfield; Trevor has completed it at a prior stop. The Board decided to give Fred and Carla a key to the Town offices to be the designated individuals to open the building and the EOC.

Fred went over the jobs and responsibilities with the Board. Paul will be the operations sections chief. Kellee will take on the responsibility of being the Safety Officer and plans to take the appropriate course. Trevor will be the Public Information Officer and will be responsible for passing along the information to the press. Fred will take responsibility for the planning section. The logistics section is going to be left open as the trained individuals are assigned to different roles and may be based on the type of emergency. Sal will have the authority to use funds for

49 emergency services. Carla brought up needing to also have a backup to these positions in cases
50 where the Selectboard members are not in Town during a crisis.

51

52 The Board paused the LEMP review and discussion to return to Item II.3 at 7:10 p.m.

53

54 Item II.3. Consider Application for a 1st Class Liquor License with outdoor consumption permit
55 – Lawson’s Finest Liquids.

56 The Selectboard was acting as the local liquor control commission for this item. Lawson’s Finest
57 Liquids was seeking a 1st Class liquor license with an outdoor consumption permit. Sean
58 Lawson was in attendance.

59

60 Sal spoke to the seriousness of the liquor license. Jon praised Sean’s efforts in how he has run
61 the establishment and that he has set a high standard in how he has started. There have been no
62 complaints and the board is very thankful for his business. Sean thanked the Board for re-
63 confirming the path plan and for offering the extra curbing to complete it. They have had no
64 incidences since their opening and Trevor has received only positive compliance checks.

65

66 ***Motion:***

67 *Jon moved to approve the first class liquor license application for Lawson’s Finest Liquids,*
68 *doing business as Lawson’s, with outdoor consumption permit. Darryl seconded. Motion passed*
69 *5-0.*

70

71 The Board returned to the discussion and review of the 2019 LEMP.

72

73 There was discussion surrounding other roles and what lessons were learned from Irene. The
74 goal of the LEMP is to restore basic services. The Board decided \$100,000 would be sufficient
75 as funding threshold for emergency situations for the incident commander, with the funds used to
76 restore services. Paul and Sal would have the authority to make decisions in that
77 situation. Kellee will be back up as she will be taking the course. Jon suggested listing all the
78 cell phone numbers of the Selectboard members in the plan as well as an alternate method to
79 contact them.

80

81 Fred and Carla reviewed the pages that required signatures to approve the LEMP. There was also
82 discussion as to where students would be held in the case of an emergency. The school district is
83 also working on a plan for students. The school has in previous years been the Red Cross Shelter.
84 There are supplies such as cots, blankets, water, radios and other necessities at the fire station for
85 the Red Cross Shelter. An MOU is needed to permit the school being used as a shelter. Red
86 Cross would most likely not be able to be present at an emergency for the first 48 hours. Fred
87 suggested at least two people run it – one to take the Red Cross course to manage the shelter and
88 another to help with the oversee setting up and checking people in and out. Kellee suggested
89 reaching out to the PTA and/or the school nurse Clayton Wetzell.

90

91 Fred and Carla asked for a portion of the Town website to be dedicated to emergency
92 management, information, and preparation. This would be information for the public to have in
93 advance for an emergency. Trevor suggested possibly training more users for the website as he
94 and Chris Damiani are the only ones who currently have access.

95

96 Fred and Carla have also been doing training specifically for active shooters in places of
97 worship. Carla has been involved with the Homeland Security Exercise Evaluation Program

98 where she has evaluated exercises around the state. There is an action report sent back to the
99 Towns for suggestions to improvements. She also watches the flood reports to determine whether
100 or not the roads to bridges need to be closed.

101
102 Fred thanked the Board for their support in regards to his and Carla’s efforts in creating and
103 maintaining a local emergency management plan.
104

105 **Motion:**

106 *Darryl moved to give Fred and Carla each a key to the Town offices to open the EOC and to*
107 *declare a Town emergency. Jon seconded. Motion passed 5-0.*
108

109 *Jon moved to adopt the 2019 Local Emergency Management Plan as presented and amended.*
110 *Kellee seconded. Motion passed 5-0.*
111

112 Item II.5. General Discussion Regarding Local Option Taxes and Proposals.

113 This was a general discussion on local option taxes – both the work of the Planning District
114 vitality subcommittee and other ideas that have been raised. A copy of the latest draft of the
115 vitality subcommittee’s work was enclosed, as is a copy of a Town staff analysis of local option
116 tax revenue for FY17 and FY18 (using data from the Vermont Department of Taxes).
117

118 The MOU does not require a charter but does require that all the money goes to the Town then to
119 the Commission. The charter element is now off the table. The voters would need to approve the
120 LOT and then the administrative function at the state level (the Tax Department) implements it.
121

122 Sal was concerned about the sovereign authority of each town in this particular model. He
123 questioned whether the previous MOU Trevor had proposed would be better because the town of
124 Waitsfield would be able to control the revenue. He believes the Town is giving away too much
125 authority with this new proposal. The previously proposed MOU would begin with a common
126 project where this newly proposed MOU-LOT has a template first and revenue can determine
127 what projects could come out of it. Paul’s concern was that local residents are already paying a
128 lot in taxes and does not want to put more of a burden on the taxpayers. The conditions of the
129 roads are a big priority for him.
130

131 Steve Shea spoke to the board. His point was that right now the towns are 75% dependent on the
132 ski industry and second home industry. The future state of these is unknown. Currently, each
133 town does not have a future plan for economic development and this proposal makes sense in
134 creating a future for the Mad River Valley as a whole.
135

136 Jon’s response was that the Selectboard has continued to try to minimize taxes with the intention
137 of keeping them as low as possible not allowing for growth. There will not be growth in the
138 Grand List and using a LOT for deferred maintenance is not something he would support. His
139 goal is to see economic development for the entire valley.
140

141 Trevor reminded the board that an LOT in such a proposal as this one will lock all the towns into
142 the LOT, they would never be able to have their own. There has not been a discussion about
143 policy in the recent meetings and the Selectboard is now at a point in making a decision about a
144 proposal. Warren and Fayston will also discuss this proposal tomorrow evening.
145

146 **Motion:**

147 *Darryl moved that the Waitsfield Selectboard will support the MRVPD’s three town draft LOT-*
148 *MOU proposal, dated 3/23/19, to establish a 1% Local Option Tax on current retail sales, room*
149 *sales, meals sales, and alcohol sales, in Waitsfield, and to nominate two Waitsfield Selectboard*
150 *members to negotiate with Warren and Fayston to finalize the proposed LOT-MOU to place on*
151 *the March 2020, Town Meeting ballot for voter approval with an effective date of July 1,*
152 *2020. Kellee seconded. Motion passed 3-2. Paul and Sal opposed.*
153

154 Sal thought the decision was premature and that residents will not understand the municipal level
155 type of authority the Planning District will have. The two Selectboard members serving on the
156 board would serve to help the proposal move forward bringing their opinions and suggestions to
157 help refine the MOU-LOT. Sal urged both Kellee and Darryl to bring the MOU Trevor had
158 drafted on behalf of the Selectboard to the meetings for them to consider it as a viable option and
159 that it is more favorable to Sal.
160

161 *Jon moved to appoint Darryl and Kellee to represent the Town of Waitsfield on the MRVPD’s*
162 *LOT-MOU proposal committee. Darryl seconded. Motion passed 5-0.*
163

164 Trevor urged Darryl to avoid the times of noon and 3 pm as the public has difficulty attending
165 meetings at that time; he encouraged evening meeting times. Sal had a few more concerns and
166 points and asked to have a continued discussion in the near future. Paul said it would be put on a
167 roundtable or on the agenda for a future meeting.
168

169 Item II.6. Consider Request for Financial Contribution to Housing Needs Assessment.

170 The Mad River Planning District’s steering committee has identified a consultant to perform a
171 housing market and demand analysis. The consultant is Norwich, VT-based Doug Kennedy. A
172 copy of the proposed scope of work and a cover memo from the Planning District is enclosed.
173 The Planning District is asking each of the three Mad River Valley towns to contribute an
174 additional \$1,000 towards the \$6,000 project. As there is no immediate need for the funding
175 Town staff recommends that any funds come from FY20 rather than FY19 as the true costs of
176 winter are determined (and how any overages may be offset). The Town has funding (\$3,500) set
177 aside for special planning projects in each fiscal year budget. Doug Kennedy Advisors recently
178 completed a housing study for Lamoille Housing Partnership.
179

180 This study is more finite in that it would lead to a more concrete recommendation on the types of
181 affordable housing that is needed for the Valley’s unique needs. It would also open the towns up
182 to being eligible for grant monies. It would help the planning commission work as well. The goal
183 is to figure out what we have and what we need. While there have been studies in the past the
184 aspect of this that sets it apart is that there will be quantitative data regarding what housing
185 would work. The impact of short-term rentals will need to be taken into consideration in the
186 study and Trevor will make sure they are aware of this type of housing.
187

188 **Motion:**

189 *Kellee moved to approve the Town’s participation in the housing market and demand analysis,*
190 *with funding provided from the FY20 budget in the amount of \$1000. Sal seconded. Motion*
191 *passed 5-0.*
192

193 Item II.7. Discuss Draft Tax Stabilization Policy.

194 The draft tax stabilization policy is enclosed; the draft has been modified from the prior version.
195 Also enclosed was a revised cover memo, detailing the changes and providing additional

196 information on restricted exemptions. This was intended as an initial review of the draft for
197 discussion and feedback. Trevor suggested rescheduling this agenda item and he summarized the
198 policy with the changes briefly. The draft is written broadly, with the intent that it allows space
199 to be whittled down from there.

200

201 **Motion:**

202 *No motion was made.*

203

204 Item II.8. Consider Approving the Program Management Agreement for the Joslin Memorial
205 Library Accessibility Modification Grant.

206 As part of on-going grant compliance efforts, the Town (as the grantee) needs to approve a
207 program management agreement, and then have that agreement reviewed by the Town Attorney.
208 The enclosed version of the agreement has been reviewed and “approved” by grants management
209 staff at the Vermont Community Development Program and the Town Attorney. Once the Board
210 reviews and approves the agreement, the Town Attorney can issue his letter of review. At that
211 point, another condition of the grant will have been satisfied.

212

213 As a general update, there has been yet more follow-up requested related to the monitoring visit.
214 A required progress report was accepted by State grant management staff. The accessibility
215 review contract has been signed, and the report due back no later than the end of May. Staff is
216 optimistic the grant compliance cycle will end. The town attorney said it was acceptable. The
217 Library of trustees will be the project manager. It will last the life of the project.

218

219 Jon suggested the next time a project similar to this comes up that it would be in the best interest
220 of the Town to go through a more rigorous vetting process for the Grant compliance manager.

221

222 **Motion:**

223 *Jon moved to approve the program management agreement as presented, and to authorize the*
224 *Selectboard chair to sign on behalf of the Town. Darryl seconded. Motion passed 5-0.*

225

226 Item II.9. Consider Approving Agreement with CVRPC for a Class 4 Road Grant.

227 The enclosed “contract” is fairly standard, mirroring the agreement in place for grant-funded
228 Class 4 roadwork on Palmer Hill Road. The \$12,500 grant will fund the implementation of best
229 management practices on three hydrologically-connected sections of Ronk Road. Examples of
230 best management practices include stone lining of ditches, areas for stormwater infiltration or
231 disconnection, and other measures.

232

233 The Town is required to provide a match equivalent to 20% of the total grant (\$2,500); that
234 match may be in kind (labor, equipment, materials, and so on).

235

236 This grant and project scope were previously identified and agreed to in 2017; the Town was
237 able to obtain a postponement of the completion date (from last summer to the end of August
238 2019). Performing the work will fulfill the Town’s obligation.

239

240 The pond installed by an adjacent landowner was inspected and certified by an engineer last
241 spring, addressing one of the remaining concerns.

242

243 **Motion:**

244 *Jon moved to approve the standard contract with the Central Vermont Regional Planning*
245 *Commission for a Class 4 road grant for water quality work on Ronk Road, and to authorize the*
246 *Selectboard chair to sign on behalf of the Town. Darryl seconded. Motion passed 5-0.*
247

248 II. 10. Bills payable and Treasurer’s warrants.

249 *Approval and signature, where appropriate.*
250

251 Item II. Minutes of 4/8.

252 The draft minutes for the 4/8 meeting were enclosed.
253

254 **Motion:**

255 *Darryl moved to approve the minutes for 4/8/2019 as presented. Sal seconded. Motion passed 4-*
256 *0-1. Jon abstained.*
257

258 II.9. Selectboard Roundtable

259 Jon asked about putting back the benches for Bridge Street and suggested sweeping the covered
260 bridge.
261

262 Sal attended a road crew meeting where the road crews from the three towns were in attendance.
263 Sal suggested putting all of their experiences and concerns in writing, as their information would
264 be useful to legislators, policymakers, and the state employees implementing regulations. There
265 was also a stormwater meeting that was interesting. He also brought up again the issue of single-
266 use plastic bags. He has thought about a ban on the use of plastic bags but knows there is a
267 legislative bill regarding banning the use of them. Sal also attended the solid waste meeting
268 where he heard about the bill banning the use of plastic bags. There are many factors on both
269 sides of the argument in the use of plastic vs. cotton.
270

271 II.10. Town Administrator’s Report.

272 There was nothing to add.
273

274 III.1. Other Business.

275 No other business.
276

277 Item III.1. Correspondence/Documents/Reports received.

278 There was a request to write a letter of support to have an electric charging station at Taste
279 Place. Suncommon will manage the charging station and ChargePoint will run it.
280

281 **Motion:**

282 *Jon moved to write a letter supporting the use of a single ChargePoint charger at the Taste*
283 *Place. Darryl seconded. Motion passed 5-0.*
284

285 IV. Executive session.

286 No executive session
287

288 *Sal moved to adjourn at 9:32 pm. Jon seconded. Motion passed 5-0.*
289

290 Respectfully submitted,
291

292 Deanna Sellars

293 Recording Secretary