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**WAITSFIELD SELECTBOARD**  
**June 24, 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:** Steve McKenzie, Eric Sigsbey, Beth Shoellkopf, Bobby Rood, Bob Cook, and MRVTV.

**Staff:** Trevor Lashua, Town Administrator

The meeting was called to order at 6:30 pm

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

None to report.

Item II.2. Public Forum

None.

Item II.3. Interview for an Open Seat on the Development Review Board.

Steve McKenzie has applied for an open three-year term on the Development Review Board. The term expires in March 2022. He has been a full-time resident for the past six years and has been coming to the valley for many years prior to that. His children all live in the area and he is looking to give back to the community. His experience so far in visiting the DRB and sitting in on meetings was a very positive one. His observation was that the DRB has the Town’s best interest in mind and is very team oriented which was a different experience for prior boards he has served on in Connecticut. He believes there is a balancing act between policy and rights of the landowners and given the right approach, there is an opportunity in most cases to find common ground. The Selectboard will consider an appointment during an executive session.

***Motion:***

*Motion made in executive session.*

***\*NOTE: The Board moved the public festival permit applications to this spot, as the applicants were in attendance. This provided more time for the resident interested in Item II.4 to arrive.***

Item II.5. Public Festival Permit Applications (two).

There are two public festival permit applications to consider:

- 1) Phantom Theater presents the Wesli Band at Laughing Eagle Productions in Mad River Park. The event, a fundraiser for Phantom Theater, is proposed to occur between 6:00 p.m. and 10:00 p.m. on Saturday, August 17th. The event organizers are requesting a waiver of the \$25 permit fee. They are considering applying for a liquor license for this event and others moving forward as they foresee events like this being great fundraisers and events. There is an online ticket feature they plan to use for this event. The fundraiser is \$50 per person. There will be people doing security, parking, and event coordinating.

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2) The Mad River Valley Wellness Expo at the Waitsfield Inn. The event, sponsored by the Mad River Valley Wellness Alliance, is proposed to occur between 10:00 a.m. and 2:00 p.m. on Saturday, July 27th. The event organizers are requesting a waiver of the \$25 permit fee.

**Motion:**

*Jon moved to approve the public festival permit for Laughing Eagle Productions, LLC, for its 8/17 fundraiser for Phantom Theater. Darryl seconded. Motion passed 5-0. Darryl moved to waive the \$25 permit fee. Kellee seconded. Motion passed 5-0.*

*Sal moved to approve the public festival permit for the Mad River Valley Wellness Alliance for its 7/27 Mad River Valley Wellness Expo, and waive the \$25 permit fee. Darryl Seconded. Motion passed 5-0.*

Item II.4. Route 100 Passing Lane Request.

Ross Saxton requested time to discuss his concerns about the passing zone on Route 100 between the 1824 House and Hartshorn Road. An email from Ross was enclosed, as was a map showing the approximate location. Ross was seeking a letter from the Selectboard to the Vermont Agency of Transportation requesting that the yellow lines be painted as double lines, and that “No Passing” signs be installed. VTRANS is already painting the lines double yellow but there could also be a no passing zone added to the request. That would then require a no passing sign. Trevor suggested drafting a letter of support for repainting the lines and implementing a formal no passing zone. All Board members agreed and support this suggestion.

**Motion:**

*No motion was made, as the consensus of the Board was to write a letter in support of the change.*

**\*NOTE: Ross was unable to attend due to a family emergency.**

Item II.6. Consider Scheduling a Vicious Dog Hearing.

The Selectboard received a formal complaint regarding an incident involving three dogs (two dogs attacking another). The dogs have since been removed from the home (and Town) and the residents caring for the alleged attacking dogs have offered to pay all veterinary bills for the third dog. The dogs were being watched at a family member’s home. The complaint was enclosed, along with a memo detailing the process and timeline as established in the Town’s dog ordinance and State statute. The Board needs to schedule a hearing to consider the matter. The proposed hearing date was Wednesday, June 26th at 6:30 p.m.

The “vicious” dog phrase is pulled from State statute and is not intended as a pre-judgment of any kind in the matter.

**Recommendation:**

*Jon moved to warn a vicious dog hearing on Wednesday, June 26th, at 6:30 p.m. Kellee seconded. Motion passed 5-0.*

98 The Board discussed the possible conflict of interests as two members of the Selectboard know  
99 the individuals involved and were marginally involved as the situation unfolded. Darryl is also  
100 the husband of the Dog Warden. Sal read through the conflict of interest policy and all Board  
101 members agreed the two could remain objective during the hearing and did not have a conflict of  
102 interest. They did not need to recuse themselves.

103

104 Item II.7. Discussion on the Local Option Tax Proposal – Continued from 6/10.

105 The Board asked to continue its local option tax discussion from the 6/10 meeting to the 6/24  
106 meeting. Enclosed for the discussion were copies of the following:

107

108 a. The staff memo re policy questions. This was the baseline for the prior meeting's  
109 discussion.

110 b. A draft of the Tri-Town memorandum of understanding dated 6/12.

111 c. A draft of the Local Option Tax committee's proposed bylaws, also dated 6/12.

112

113 Darryl took four items to the latest meeting; having an ending date, simplifying the language and  
114 process, splitting the money between the committee and individual towns, and the amount going  
115 toward each category (or bucket).

116

117 As there is a bailout clause, the LOT committee does not wish to have an end date as a response  
118 to the Board suggesting a set period of time with a process for a reauthorization. Some Board  
119 members agreed that having a period of five years, with a reauthorization process, would make  
120 the most sense and would be enough time to show whether or not it would work.

121

122 Sal's biggest concern remains to be the lack of public knowledge and information about the  
123 MOU and when it comes time to vote, voters will not have enough information. Kellee  
124 responded that yes, it is a tax increase, but it comes from a vision to further the vitality of the  
125 Valley. Jon pointed out that the way the whole thing is going to voters is awkward in that the  
126 Selectboards will first vote for the MOU and then the voters will vote on the implementation of  
127 the LOT. The voters do not have the option to vote for the MOU. While it is a different and  
128 unique way to start it will be crucial to the economic health of the Valley.

129

130 The other concern of Sal's is the lack of ability to have a Town LOT. If the Town of Waitsfield  
131 had its own LOT then there would be the ability to choose how the money is spent and what it  
132 would go toward. Jon responded that the Town would not necessarily have the resources and/or  
133 expertise in certain areas, such as housing, to implement various projects, costing more money.  
134 Whereas the committee, with all of its resources and access to experts, would make more sense.  
135 In Sal's experience when he has been at the meetings the members speak to each other and there  
136 does not seem to be a balance of input as there appeared to be a driving force in the group.  
137 Kellee, on the other hand, expressed she feels heard and the committee has been working on the  
138 concept for eighteen months on a weekly basis creating and tweaking. The Board agreed there  
139 would be no decisions made at this time.

140

141 ***Motion:***

142 *No motion made.*

143

144 Item II.8. Consider Setting FY20 Selectboard Goals and Priorities.

145 A memo listing proposed goals and priorities was enclosed. The memo follows the format  
146 established last year. Board members considered items to add or amend. Exploring decentralized  
147 wastewater programs - Jon was asked to meet with someone from the Winter Park project and  
148 learned there are major issues with forecasted expenses. Trevor briefly relayed some of the  
149 history behind the challenges at Winter Park, including the fact that the Town, State, and  
150 association members played a role in various ones. If the Town pursues the project he suggested  
151 the board getting input from the group. He agreed there are improvements to be made and valued  
152 the experiences and feedback from that project.

153  
154 There were five and 10-year budget forecasts to be designed to set the Board up for future  
155 decision-making. The idea is that seeing a long-term project makes it easier to avoid making a  
156 decision in isolation, or with only the short-term in mind. There was also discussion around the  
157 previous plans for the Town Garage and what it would possibly look like going forward. It is still  
158 on the radar for future projects.

159  
160 **Motion:**  
161 *No motion made, though the Board members agreed to proceed with the list as presented as the*  
162 *goals and priorities for FY20.*

163  
164 Item II.9. Consider Authorizing the Current Expense Note for the Fire Pumper.

165 A memo from the Town Treasurer, along with the loan documents, was enclosed. This was the  
166 second of three payments on the current expense note. The payment will be close to \$25,000 and  
167 the third payment is already in the FY20 budget.

168  
169 **Motion:**  
170 *Jon moved to authorize the current expense note as presented and to execute the loan documents.*  
171 *Kellee seconded. Motion passed 5-0.*

172  
173 Item II.10. Consider Awarding 5-Year Renewal of Sidewalk Plowing Bid.  
174 Kingsbury provided a quote for a five-year extension of the sidewalk snow removal contract.  
175 The number shown in year one was also used for budgeting purposes for FY20. The total  
176 increase in the contract during the five year period is less than \$1,200 (4%). This was the  
177 proposed renewal of service contract; according to the Town’s procurement policy service  
178 contracts may be exempted from the open bid and quotation process.

179  
180 **Motion:**  
181 *Darryl moved to award the sidewalk plowing bid to Kingsbury Construction for the five-year*  
182 *period of FY20 through FY24, with the following annual prices:*

- 183 • FY20 -- \$28,500.
- 184 • FY21 -- \$29,070.
- 185 • FY22 -- \$29,070.
- 186 • FY23 -- \$29,651.
- 187 • FY24 -- \$29,651

188 *Kellee seconded. Motion passed 5-0.*

189  
190 Item II.11. Bills payable and Treasurer’s warrants.

191 *Approval and signature, where appropriate.*

192

193 Trevor asked Board members to consider signing a warrant in advance of July 1, the start of  
194 FY20, that would enable payments to Washington County and Blue Cross/Blue Shield to occur  
195 on time and in the correct fiscal year. Board members agreed, and stated that would stop by to  
196 sign if the warrant or would sign Wednesday night at the dog hearing.

197

198 Item II.12. Minutes of 6/10.

199 The draft minutes for the 6/10 meeting are enclosed for review. The draft is enclosed is a  
200 “compliance” draft; the Board should determine whether or not it would like an enhanced  
201 version prior to final approval

202

203 ***Motion:***

204 *Jon moved to approve the draft minutes of 6/10 as presented. Kellee seconded. Motion passed 5-*  
205 *0.*

206

207 Item II.13. Selectboard Roundtable.

208 Darryl asked about grading for the marathon as it would be easier for the runners. Trevor stated  
209 that grading is on-going, and there are some other grading projects happening so it might be  
210 completed prior to the marathon and might not. Weather and timing are the two main factors.  
211 Darryl also asked about the pothole at Village Square and suggested calling the State.

212

213 Jon brought up the incident at the Big Picture where a man had assaulted a number of patrons  
214 and police officers. There was a concern by the employees that he had been quickly released on  
215 bail the morning after the incident and stated that he planned, through his Facebook profile, to  
216 return to the Big Picture. He wanted to acknowledge that there might not be sufficient locations  
217 for individuals like this one. Sal suggested going to the state’s attorney regarding his desire to  
218 return to the establishment and they might be able to overturn the bail.

219

220 Jon also wanted to let the Board know that there is insurance to cover cyber ransoming of the  
221 Town. In addition, the Planning Commission is coming to a resolution to the housing hamlet  
222 project and that it is a real step forward to possibly answering the housing issues in the valley.

223

224 Paul informed the Board that there is still no response or change in the Floodwoods Bridge  
225 situation and he would like to see the DOT get involved. Kellee asked if the police have been  
226 called regarding the continued use of the bridge even after the Town informed them it is closed.  
227 The Town would like a response that states they will cease the overweight use and that they will  
228 work with the Town to negotiate its repair and future appropriate use.

229

230 Item II.14. Town Administrator’s Report.

231 Nothing additional to report.

232

233 Item III.1. Other Business.

234 No other business.

235

236 Item III.2. Correspondence/Documents/Reports received.

237 Nothing to report.

238

239 IV. Executive session – Pursuant to 1 V.S.A. § 313 (a) (1) (E) [Pending/probable litigation].

240 *Jon moved to enter executive session pursuant to 1 V.S.A. § 313 (a) (3). Sal seconded. Motion*  
241 *passed 5-0.*

242

243 *Darryl moved to appoint Steve McKenzie to the DRB for a term expiring March 2020. Sal*  
244 *seconded. Motion passed 5-0.*

245

246 *Jon moved to adjourn at 8:49 pm. Sal seconded. Motion passed 5-0.*

247

248 Respectfully submitted,

249 Deanna Sellars

250 Recording Secretary

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