

**WAITSFIELD SELECTBOARD**

**November 23, 2020**

**Waitsfield Town Office**

**6:30 P.M.**

*\*This meeting was held remotely, via Zoom.*

**Board Members Present** – Paul Hartshorn, Chair; Kellee Mazer, Vice-Chair; Jon Jamieson, Brian Shupe.

**Board Members Absent** - None absent

**Others Present:** Kevin Anderson, Alice Peal, AnnMarie Harmon, Brian Voigt, 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).

The Board, via consensus, moved Items II.6 (retail cannabis) and II.8 (curb cut policy revision) to the 12/14 meeting, to try and shorten the length of this meeting to essential or timely business.

Item II.2. Public Forum

No public comment.

Item II.3. Interview and Possible Appointment – Planning Commission Vacancy.

Kevin Anderson applied for one of two vacancies on the Planning Commission. Kevin was able to attend a Planning Commission meeting on 11/17 and spoke with the group; the Planning Commission is recommending his appointment.

There was a brief explanation of the two vacant seats on the Commission, each for four-year terms, expiring in March 2022 and March 2024 respectively.

The Board questioned Kevin about his background, interest in the position, and whether or not he saw the need to balance property rights with land use regulations.

Trevor explained that the Board could use executive session to discuss the appointment (appointment itself would occur after returning to open session) or appoint now. The Board decided it was ready to appoint now.

*Jon moved to appoint Kevin Anderson to the Planning Commission for the remainder of a four-year term expiring in March 2024. Brian seconded. The motion passed 4-0.*

44 Item II.4. Consider Approving a Process and Timeline for Appointment for a Selectboard  
45 Vacancy.

46 A letter of resignation from Board member Darryl Forrest was enclosed in packets.

47  
48 Trevor provided a brief introduction, describing what is (or isn't, really) in statute, how this time  
49 differed from a vacancy occurring in late 2017, and what the process could entail.

50  
51 State law does not say how to appoint someone to fill a vacancy, only that it should be done  
52 "forthwith" – a term also not defined. In the absence of a statutory definition, the general  
53 guidance is that appointment should proceed sooner than later, in accordance with the  
54 circumstances. Whomever the Board appoints will serve until Town Meeting 2021. At Town  
55 Meeting voters will elect someone to serve the remainder of Darryl's three-year term expiring in  
56 March 2022.

57  
58 Trevor described a process where those interested would have until 12/3 to apply on a form  
59 created by the Town; interviews and appointment would follow on 12/7. The new Board member  
60 would be seated for the 12/14 meeting.

61  
62 *The Board adopted the timeline and process as presented via consensus.*

63  
64 Item II.5. Discussion – Town Meeting 2021 and COVID-19.

65 Trevor introduced the discussion on a need to consider holding Town Meeting via Australian  
66 ballot due to public health guidelines and the trajectory of COVID-19.

67  
68 A maximum number of people allowed indoors is 75, and is contingent upon meeting other  
69 public health standards, such as no more than one person for every 100 square feet of space and  
70 remaining at 50% (or less) of fire safety capacity. Town Meeting draws more than 100 people  
71 each year.

72  
73 There does not seem to be a way in state law to hold Town Meeting remotely, even if  
74 technological concerns can be worked out. This leaves Australian ballot, as enabled by the  
75 legislature for 2021 (by Act 162). Like the November election, voting would be done  
76 early/absentee or at the polls on the day of.

77  
78 Staff will develop a timeline and information plan, which will aim to provide the community  
79 with a "road map" to use, for consideration and adoption at the 12/14 meeting. This will include  
80 budget forums and when/how to hold the required informational meeting. Brian asked about how  
81 a moderator is elected, or if that would need to occur in 2021.

82  
83 There was discussion about how Act 162 also eliminates the need for candidates for local offices  
84 to garner signatures to appear on ballots (though the consent form is still required and needs to  
85 be filed with the clerk). Voter-backed petitions would still need the requisite number of  
86 signatures, unless the Board waives that requirement. It also appears that the Board can approve  
87 whether or not to allow electronic signatures on petitions.

88

89 *Jon moved to begin the process of moving towards Town Meeting 2021 voting happening by*  
90 *Australian ballot. Kellee seconded. Motion passed 4-0.*

91

92 Item II.6. Moved to 12/14/20.

93 The discussion on retail cannabis was moved.

94

95 Item II.7. Possible List of Properties for Tax Sale.

96 Delinquent Tax Collector Jennifer Peterson requested that an enclosed list of properties move  
97 towards tax sale, with the removal of one person listed who has since paid in full.

98

99 ***Recommendation:***

100 *Kellee moved to approve the commencement of the process for possible tax sales for the*  
101 *properties listed on the enclosed email from the Delinquent Tax Collector. Jon seconded. Motion*  
102 *passed 4-0.*

103

104 Item II.8. Moved to 12/14.

105 Action on the revised curb cut policy was moved to 12/14.

106

107 Item II.9. Bills Payable and Treasurer’s Warrants.

108 Both were available for review.

109

110 Item II.10. Selectboard Roundtable.

111 Jon spoke about the tri-town discussion on housing and thanked everyone for participating.

112

113 Item II.11. Town Administrator’s Report.

114 Trevor noted that surveys were available online, joining tax maps and assessor’s cards, at the  
115 Town moves to digitize land records and make them remotely accessible.

116

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

118 None.

119

120 *Jon moved to enter executive session pursuant to 1 V.S.A § 313 (a) (2), real estate, to include the*  
121 *Town Administrator. Kellee seconded. Motion passed 4-0.*

122

123 *The Board entered executive session at 7:00 p.m.*

124

125 *Jon moved to exit executive session at 7:11 p.m. Brian seconded. Motion passed 4-0.*

126

127 *Kellee moved to adjourn at 7:12 pm. Jon seconded. Motion passed 4-0.*

128

129 Respectfully submitted, Trevor M. Lashua