

**Mount Holly Select Board Meeting**  
**May 12, 2020**  
**Minutes**

**Zoom Meeting: 700 733 635**

**Present: Select Board:** Jeff Chase, Jennifer Matthews, Mark Turco

**Town Officials:** Peter Berger, David Johnson, Gabrielle Macklin-Bickford, Jon McCann, Lori Norton, Peter Perrino, Don Richardson, Jim Seward, Brigid Sullivan, Andy Tanger, Clinton Woolley

**Members of the Public:** Jim Corven, Ted Crawford, Fra Devine, Annette Lynch, Stephen Michel, Donna Seward, Ron Unterman, Dave Venter

1. **Call to Order** by Mark Turco at 6:31 pm.

2. All recited the **Pledge of Allegiance**.

3. **Changes and/or additions to the agenda** – Jennifer Matthews asked to add a letter from Ted Crawford under **New Business**. It was agreed to do so.

4. **Approval of April 14, 2020 Minutes & Special SB Meeting Minutes of April 22, 2020** –Jeff Chase made a motion to approve the minutes, seconded by Mr. Turco, unanimously approved.

5. **Reorganization (continued from 3.10.2020 meeting)**

a. **Select Board Chair** - No motions put forward.

6. **Reports**

a. **Highways & Transfer Station – Clinton Woolley**

i) **Update** – Mr. Woolley reported: Household Hazardous Waste Collection day possible in June; composting containers available through RCSWD; structure grant work with July first start date; no news on paving grants; excavator here for next month with eight culverts to replace and ditching work; Healdville Road potholes to be fixed, especially at railroad crossing.

ii) **One-Ton Truck** – Discussion ensued about truck models, years, shift patterns, bodies, availability and costs of approximately \$57,000 for the truck and body with an additional \$10,000+ for plow and sander. Additional information will be gathered for Special SB Meeting next week.

iii) **Plow Bills – Plymouth & Wallingford** – Currently billed at \$3,200 and \$2,500 respectively. Discussion ensued about sand usage and pricing. Billing amounts will remain the same this year with \$100 increase next year.

b. **Treasurer – David Johnson**

i) **Monthly Income & Expense Report** – Mr. Johnson stated there was not much to report. He noted the Forestry Receipts (\$8,500) was the largest outstanding revenue item; the final State Aid for Roads payment had been received; more funds were received than budgeted for the State Reappraisal Funds category. With Mr. Johnson's wording, Ms. Matthews made a motion to transfer the extra \$178.50 from the State Reappraisal Funds to the Reappraisal Fund, seconded by Mr. Chase, unanimously approved.

Mr. Johnson continued, noting the following: the Solid Waste Labels Sold continue to be over budget; all town report and election costs are under budget; the Casella bill for April has been received and solid waste expenses remain within the budgeted amount with 10 more tons of waste and three more tons of zero-sort disposed of this year compared to last year; the final State Education Fund bill of \$385,000 is less than the \$399,509 remaining in the budget; highway expenses and diesel fuel are all under budget.

ii) **Delinquent Tax Report/Tax Sales** – Peter Perrino reported that five more payments and another \$7,000 had been received. Discussion ensued about the number of delinquent taxpayers and tax amount outstanding, whether or not to delay tax sales, any COVID-19 effect, and approximate time table for next round of tax bills to go out. It was agreed Mr. Perrino would delay tax sale notifications until June first.

iii) **Waive Late Filed Homestead Declaration Penalty** - Mr. Johnson explained this has been the policy in the past and he recommended continuing the policy. Ms. Matthews made a motion to waive the penalty for late homestead declaration filers, seconded by Mr. Turco, unanimously approved.

**7. Planning Discussion with the Mount Holly Planning Commission – Peter Berger, Nicole Lewis, Gabrielle Macklin-Bickford, Jim Seward, Clinton Woolley** - Ms. Matthews opened the discussion by again expressing her concerns about the threat that Vail Resorts could pose to our community given the fact it is a publicly traded company worth over \$6 billion answerable to its shareholders with no ties to Vermont. She stated she was concerned that our town plan as is does not have the strength to safeguard our town, but that we could take steps now to protect our community and what is important to us and what we value.

Peter Berger explained the process the Planning Commission followed in writing the town plan, using State criteria and input from the Rutland Regional Planning Commission (RRPC) and the community. He stated one objective was to retain sovereignty for the town. He went on to say that given the current trend towards state and regional priorities over those of individual towns, he considered the town plan to have little weight and no teeth, and with no zoning, he stated the town had even less control. He stated the use of ambiguous language was deliberate.

Gabrielle Macklin-Bickford pointed out Criterion 8 of the Act 250 Criteria, which states that any development projects should not have an undue adverse impact on aesthetics, scenic and natural beauty. She stated the District Commission looks to the community standards stated in the town plan to determine this.

Ms. Matthews pointed out Criterion 10, which looks at regional and town plans, in particular at specific vs. ambiguous provisions in the plans. What is the specific policy of any provision? The specifics hold more weight.

Andy Tanger spoke of a recent VT Digger article about how the Town of Bennington with specific provisions in its town plan was able to prevail against a large solar development proposed in town. It might be worth looking at the Town of Bennington's plan for specifics.

Annette Lynch spoke of the enormous weight town plans are given by the courts as long as they are specific. Looking at the provisions for forest fragmentation and the connectivity of wildlife corridors, those areas must be specified in the town plan and explained why they are valued. Any development that could harm those areas must also be specified. She added that this is our town plan and our values, which with specifics would not be defied by any regional board.

Jon McCann spoke as a RRPC representative and explained when any project is reviewed, the regional planning commission determines if the project conforms to the town plan and the regional plan. The Commission looks for specifics in town plans, as ambiguous language holds no weight and therefore gives the town no say in any proposed development. He added that the town plan is the only tool a town has to communicate its desires to the Act 250 Board with concrete specifics needed. Ms. Macklin-Bickford added that in her experience, the Act 250 Board wants to work in conjunction with towns, but to do so, the town plan must have clear standards spelled out.

In response to a question about the bear corridor from Dave Venter, Mr. McCann explained that the recently conserved parcel of land here in Mount Holly had additional protections on it; just being land in the state forest does not protect from development. The Okemo ski area is on state forest land, which is leased by the ski area from the state.

Ms. Matthews asked what are considered the scenic vistas, open spaces, prime agricultural soils, and scenic roads in town? Where are they located? Why are they important and why do we value them? She stressed the need to be specific and concise in detailing these.

The Select Board asked the Planning Commission to return to the June 9<sup>th</sup> Select Board meeting with an update of how they plan to address these concerns.

## **8. Ongoing & Old Business**

a. **EID Grant Program Update** – Mr. Chase stated the Town could apply for funds for the community composting project through this grant, which is a three-page application due on June first. Mr. Chase is talking with the Rutland County Solid Waste District, the Agency of Natural

Resources and others on best composting methods. He added that a free 20-hour consulting program on the design of the composting facility is available through the State.

b. **Emerald Ash Borer (EAB) Update** – Don Richardson stated that due to the cool spring, the EAB migration will probably start in early June. Ludlow plans to begin its ash tree inventory next week. The most immediate EAB concern is roadside ash trees. He will continue to update the Select Board with information and on best methods for a town-wide inventory.

c. **VTrans Grant for Local Bypass Mitigation – Bridge #7 on VT Route 155 – Update** – Ms. Matthews reported that the State was still planning to proceed with the project. The VT Route 155 road closure is scheduled for mid-July with Bazin Brothers Trucking as the contractor for the culvert replacement. Grant to be signed.

d. **Local Hazard Mitigation Plan** – Mr. Chase reported he had spoken with Steffanie Bourque at RRPC about an initial meeting to discuss an overview of the plan process. He will contact the others who have expressed an interest in working on the plan to set-up that meeting.

e. **Other** - There was no other ongoing and/or old business.

## 9. New Business

**Ted Crawford's Letter** – Mr. Crawford had submitted a letter to the Select Board raising some concerns. He read from a document, which had not been submitted to the Select Board, raising three issues: how could a Select Board member come to do the admin work for the Select Board, was this a conflict of interest, and does the Select Board act as a whole? Discussion ensued about past Select Board members doing the admin work, their compensation, the Selectboard Clerk job description, financial oversight, any conflicts, budget constraints, the Open Meeting Law, Select Board process and minutes. No actions were taken, but the discussion will be revisited at the June 9<sup>th</sup> Select Board meeting.

a. **Delta Dental Insurance Renewal** – Ms. Matthews explained that the renewal on the dental insurance for staff had been received. There is no increase in the premium rates for the coming year. Ms. Matthews made a motion to continue with Delta Dental Insurance for this next fiscal year, seconded by Mr. Turco, unanimously approved.

b. **Slow Children Sign Request – Shunpike Road** – Mr. Chase stated he had received a letter about speeding cars on Shunpike Road. Mr. Turco stated the Town did not purchase 'slow children' signs as the Town then assumes responsibility for the speeders. He said individuals could purchase and put up their own signs.

c. **S.344 - Municipal Tax Rate & Penalties: COVID-19 Temporary Provisions** – Ms. Matthews reported on the legislation that had currently passed both the VT House and Senate giving Towns the right: to revise the date property taxes are due; to reduce or waive penalties, fees, and interests; and to adjust the property tax rate for the coming year. With tax bills due to be mailed in mid-August, this is an option available to the Town if needed.

d. **Other** - There was no additional new business.

## 10. Announcements/Other Business

a. **Appointments** to be made @ June 9<sup>th</sup> Meeting for July first to June 30, 2021 terms:

- Rutland Regional Planning Commission Representative & Alternate
- Rutland Region Transportation Council Representative & Alternate

Notice for these upcoming appointments will be on the Town website and in the *Chit Chat*.

b. **Other** – Green-Up Day will be on May 30<sup>th</sup> with a Google Docs sign-up sheet on both the Town website and Facebook page.

11. **Review & Sign Orders** – to be signed one Select Board member at a time at the town office.

12. **Executive Session: Title 1 V.S.A. S 313(a)(3) – personnel** – Ms. Matthews made a motion to enter Executive Session to discuss personnel matters at 8:43 pm, seconded by Mr. Turco, unanimously approved. Ms. Matthews made a motion to exit Executive Session at 9:11 pm, seconded by Mr. Turco, unanimously approved. No actions were taken.

13. **Adjourn** at 9:11 pm.

Respectfully submitted: Jennifer Matthews

Minutes Approved: 6.9.2020