



Town of Thetford • PO Box 126 • Thetford Center, VT 05075 • (802) 785-2922

Selectboard Regular Meeting Minutes

Thetford Town Offices

Monday, September 18, 2017 at 7:00 pm.

Stuart Rogers called the meeting to order at 7:13 p.m.

Selectboard Members present: James Dixon, Jessica Eaton, Stuart Rogers, Li Shen, Douglas Stone

Others present: Jill Graff (Town Treasurer), Mary Ellen Parkman (Zoning Administrator), Martie Moses (Selectboard Assistant), Chad Martin (DPW Forman)

Community Members present: John Bacon, Bob Walker, Phebe McCosker, Bob Pulaski, Sue Tallman, Ann Lavanway, Sue Fritz, Libby Chapin, Jim McKraken

Public Comment 7:13 p.m.

John Bacon expressed concerns about closing up Treasure Island, and asked which roads were going under contract for repairs. John Bacon asked about the Lake Fairlee Dam.

Correspondence & Liaison Updates 7:16 p.m.

The Selectboard received a letter of resignation from Kevin O'Hara from the Planning Commission.

Motion by Stuart Rogers to accept the resignation of Kevin O'Hara from the Planning Commission, with great thanks for all of his time and efforts. Seconded by Douglas Stone.

VOTE unanimous (5-0-0)

It was noted that there are 2 vacancies on the Energy Committee and 3 vacancies on the Planning Commission. There is also an alternate position open for the Development Review Board.

The Selectboard received a Public Notice from Vermont Department of Environmental Conservation for the Draft General Permit 3-9040, for Storm Water Discharges from Municipal Roads.

The Selectboard received a letter from SEVCA concerning the County Tax Homestead Declaration.

Motion by Stuart Rogers that the Town continues with the practice of imposing the penalty of 8% of the education tax for late filing of the County Tax Homestead Declaration. Seconded by James Dixon. **VOTE unanimous (5-0-0)**

Jessica Eaton said discussion about Timothy Frost Methodist Church needed to be put on the agenda.

Jessica Eaton asked when discussion of 5 Corners Road would be put on the agenda.

Stuart Rogers said he had an addition to the agenda about a possible rabies incident.

Jessica Eaton said when she was driving down Route 5, in Norwich, she saw a Town employee in a side-by-side, with no safety gear.

Jessica Eaton asked for clarification about who would be setting up a follow-up meeting about the intersection of Clay Road and Schoolhouse Road.

Minutes and Warrants 7:35 p.m.

#36.2 \$225.54

#32.1 \$61.42

#19.4 \$21,405.10

#32.1 \$29,455.05

#27.3F \$34,175.55

Motion by Stuart Rogers to accept the warrants as presented. Seconded by James Dixon. **VOTE unanimous (5-0-0)**

Motion by James Dixon to accept the Regular Selectboard Meeting Minutes of September 11th, 2017, as edited. Seconded by Li Shen. **VOTE unanimous (5-0-0)**

Possible Rabies Incident

Stuart Rogers told the Selectboard about a puppy that had been attacked by a raccoon. At this point, the dog owners have asked permission to quarantine the puppy for 4 months. The raccoon has not been found.

Motion by James Dixon to approve the in-house quarantine recommended by VT State Veterinarian, and the VT Health Department. Seconded by Douglas Stone. **VOTE (4-0-1)** Stuart Rogers abstained, as he is the Animal Control Officer.

Treasure Island Update - End of Season 8:10 p.m.

The Treasure Island Manager gave a post-2017 season report. The report covered staff, hours of operation, and gate fees/Season Pass rates. The total revenue was \$24,381.61, a budget shortfall of \$5,618.39. Recorded attendances were over 3,000.

Stuart Rogers commented on activity that took place prior to the season concerning the outhouses on the actual island. The outhouses were found padlocked, and a sign had been posted on the door. The sign read: "U.S. Fish & Wildlife Service, Department of the Interior. Pit toilets on Lake Fairlee are to be permanently closed to the public due to affect on water quality. (SEC 43.29 FC 2016)"

The Selectboard had not received any prior communications from either State or Federal Departments. Stuart Rogers took photographs of the sign and asked the Commissioner of Vermont Fish and Wildlife who to contact at the Federal U.S. Fish and Wildlife Department. Stuart Rogers received a call from U.S. Warden J. Eddie Edwards, who met with Stuart Rogers at Treasure Island and he seized the sign, as it did not come from U.S Fish & Wildlife. After examining the sign it was determined that the insignia was an authentic department decal, but there were grammatical errors, and the statute cited is actually from Securities and Exchange. It was also noted that the Federal Government does not have authority over Lake Fairlee. The Selectboard did receive a follow up email from Scott Gordon:

From: Scott Gordon <scott@fwvfield.org>
Subject: Pit Toilets on Treasure Island Park - Notice.
Date: June 23, 2017 at 11:15:44 AM EDT
To: "selectboard@thetfordvermont.us" <selectboard@thetfordvermont.us>
Cc: "selectboardassistant@thetfordvermont.us" <selectboardassistant@thetfordvermont.us>, "stuart.p.rogers@valley.net" <stuart.p.rogers@valley.net>

Good morning Members of the Thetford Selectboard: During our inspection of the FWS Upper Valley Service Area last week, it was recorded that an FWS sign and locks had been removed from an uncertified pit toilet on the Treasure Island City Park that we understand from public records is owned and managed by the Town of Thetford. It is imperative that the toilets be removed from service and permanently closed as per the regulation cited. Pit toilets are no longer allowed on the banks of open waterways or lakes (within 200 feet of the water) in the State of Vermont due to water quality effects.

Please comply with this and the previous notice sent to the Thetford Selectboard in January of this year.

Sincerely,
S. Gordon
NA-FWS
Northeast Region
Albany

The Selectboard responded with an invitation for a meeting at Treasure Island to discuss the matter. The Selectboard did not receive a response. Stuart Rogers pointed out that the email had a server of “.org”, not “.gov”.

Stuart Rogers stated that the outhouses on Treasure Island are not pit toilets, but in fact, have a concrete tank, and the tank is pumped out at the beginning of every season. Details can now be given to The Valley News, as they printed an article earlier in the year that had misleading or false information.

Energy Committee Update & Discussion w/Bob Walker 8:26 p.m.

Bob Walker explained how volunteer weatherization projects had been funded in the past. Bob Walker said the first year was covered by grant money, and then they raised money from local residents and businesses, which went through Ompompanoosuc Community Trust. Recently the Energy Committee learned that there were concerns that it wasn't proper for a Town Committee to raise funds, or assist in raising funds.

Bob Walker said currently volunteers are covered by the Town's insurance policy when they are doing weatherization projects.

Stuart Rogers confirmed that the Town does have a rider in the insurance policy which covers volunteers. The concern from the Town Attorney is that the raising of funds and the weatherization projects are functions outside of the incorporated functions of a municipality. The Town Attorney said it would be better if these were done by a non-profit group.

There was discussion about other organizations that do similar work, and how they are funded and insured. Jessica Eaton wondered if a home owner could add a temporary waiver on their home owner's insurance policy to cover volunteer workers. Bob Walker wondered if grant funds could then be used to help cover the cost.

There was discussion of "Dillon's Rule: This means that the town and its voters or Selectboard have no authority beyond that which is given by statute, or that which is necessarily implied by a statute. Accordingly, municipal officials must check all relevant statutes before acting to ensure that they will comply with the specific requirements of the enabling legislation" (Taken from Municipal Law Basics 2014).

Conservation Committee Update & Discussion 8:51 p.m.

The Selectboard and members of the Conservation Committee discussed the Town Land Management Plan.

There was discussion about boundary markers and treatment of invasives.

There was discussion about funds for the Conservation Committee. Jill Graff explained that there was a line item in the General Fund, which is the amount that is allocated to the Conservation Committee every year. Stuart Rogers explained that there is also a Land Maintenance Fund that was voted as an article, to move \$5,000 to the fund annually, if there is revenue from a timber harvest, or, at the Selectboard's discretion.

The Conservation Commission expressed concerns about communication between the Town Forrester, the Conservation Commission, and the Selectboard.

Storm & Roads Update w/Chad Martin, Road Forman 9:40 p.m.

Chad Martin said that Pike Industries has submitted a new quote for work on Latham Road.

Chad Martin reported that funds were up in a paving grant. Stuart Rogers said the State is making changes in the process for submitting for grants. Stuart Rogers said the grants need to be submitted in November 2017, for grants for the upcoming year. They will not be taking grant proposals in February and March, as previously done.

Chad Martin updated the Selectboard on road repairs.

Motion by James Dixon to authorize the Selectboard Chair to accept the contract bid from Pike Industries for road repair work to Latham Road, contingent on the Paving Grant Contingency Approval. Seconded by Douglas Stone. **VOTE unanimous (5-0-0)**

Stuart Rogers said there is an upcoming meeting with Army Corp of Engineers for temporary work easements on Route 132.

Other Business

- Meeting Agendas Discussion - Issues & Time Available

Stuart Rogers asked Selectboard Members for ideas on how to address Town concerns within the meeting timeframe. Stuart Rogers reminded the Selectboard Members that budget meetings tend to go late.

There was discussion about the need for a Town Administrator or Town Manager.

Motion by Stuart Rogers at 10:52 p.m. to discuss personnel and union updates in an Executive Session per *Discussion of Matters as per 1 V.S.A., subsection 313, paragraphs A 1 & 3.*

Seconded by James Dixon. **VOTE unanimous (5-0-0)**

Motion by James Dixon at 11:14 p.m. to exit Executive Session. Seconded by Douglas Stone. **(VOTE unanimous 5-0-0)**

Motion by James Dixon for the Selectboard to sign the Selectboard Letter of Response regarding a union grievance. Seconded by Douglas Stone. **VOTE unanimous (5-0-0)**

Motion by Stuart Rogers at 11:16 p.m. to adjourn the Regular Selectboard Meeting. Seconded by James Dixon. **VOTE unanimous (5-0-0)**