

Starksboro Selectboard meeting
June 16, 2020 Minutes
Held via video conference call
Unapproved

Board members present: Nancy Boss, Eric Cota, Koran Cousino, John Painter, Greg Hahr
Others present: Rebecca Elder, Celine Coon, Tony Porter, Robert Turner, Amy McCormick, Dennis Casey, Elise Shanbacker, Colby Benjamin, Sheriff Peter Newton, Jim Carroll, Chuck Webber

The meeting was opened by Chair Koran Cousino at 5:30 p.m. The meeting was conducted via audio conference call with information provided to the public for the ability to participate. She began by reading the following statement about why the meetings are being held this way:

As Chair of the Starksboro Selectboard, I find that, due to the State of Emergency declared by Governor Scott as a result of the COVID-19 pandemic and pursuant to Addendum 6 to Executive Order 01-20 and Act 92, this public body is authorized to meet electronically.

In accordance with Act 92, there is no physical location to observe and listen contemporaneously to this meeting. However, in accordance with the temporary amendments to the Open Meeting Law, I confirm that we are:

- 1. Providing public access to the meeting by telephone conference call, with additional access offered through video conference means for future meetings. We are using GoToMeeting for this remote meeting with ability to access via phone or computer. All members of the Selectboard have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen and, if desired, participate in this meeting by speaking up during the call and being recognized by the Chair;*
- 2. Providing public notice of instructions for accessing the meeting. We previously gave notice to the public of the necessary information for accessing this meeting, including how to access the meeting using telephone means in our posted meeting agenda. Instructions have also been provided on the town website at: www.starksborovt.org.*
- 3. Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anybody has a problem, please contact Rebecca Elder via phone or text at (802) 917-4425; and*
- 4. Continuing the meeting if necessary. In the event the public is unable to access this meeting, it will be continued to a time and place certain.*

Please note that all votes taken during this meeting that are not unanimous will be done by roll call vote, in accordance with the law.

Let's start the meeting by taking a roll call attendance of all members participating in the meeting.

All members of the board were present. Other attendees are listed above.

Review of agenda for additions or adjustments: none

Road Foreman report

- Conway Road repairs were approved; expect reimbursement in July.
- Eric and Tony met with Jaron Borg, State stream alteration specialist, regarding the Hillsboro/Ireland Rd area grant for debris removal. They hope to have assistance from ACRPC's Andrew L'Roe to draft the RFP for bids for the labor. The grantor requests a stem count of wood debris before they will write the proposal. Tony will follow up on next steps with NRCS, ACRPC, and the State.

- There may be a permit required by the Army Corp. of Engineers on Brown Hill East bridge repairs.
- Rental on the excavator for one month is done. The crew used it for 38 hrs on Conway Rd. Tony reports it was a good investment. There is a lot more ditching to do and he wants to keep renting it for another month at \$3500/mo.
- Debris removal projects are reimbursed with hourly rate for equipment plus operator time.

Motion: Greg Hahr made a motion to approve the rental cost for the excavator for one additional month at \$3500. Nancy Boss second.

Vote: Approved unanimously

Animal Control Update

Motion: Nancy Boss made the motion that premature public knowledge of confidential attorney-client communications and legal advice concerning a quasi-judicial nature of a public body and ordinance enforcement options, and potential civil claims would put the public body at a substantial disadvantage. Eric Cota second.

Vote: Approved unanimously

Motion: Eric Cota made a motion to enter executive session to consider the advice of counsel and the Addison County Sheriff Peter Newton. Greg Hahr second.

The board invited legal counsel Jim Carroll, ACO Chuck Webber, Rebecca Elder, Kevin Kite, and Sheriff Newton into the executive session.

Vote: Approved unanimously

The board ended executive session. No action to be taken at this time.

Addison County Community Trust (ACCT) – Request for consideration of community block grant support

Elise Shanbacker, Exec. Director of ACCT, and Colby Benjamin, Property/Facilities Manager of ACCT, attended to discuss a request from their organization for support from the Town of Starksboro for a community block grant to assess infrastructure improvements in ACCT's three mobile home parks— Brookside, Hillside, and Lazy Brook. ACCT is a nonprofit organization that manages affordable housing throughout Addison County.

Elise/ACCT described the current state of the parks and that they are approaching the end of usable life span. ACCT is determining how to make needed investments that are sustainable and leave options open for future needs. The grant would support a civil engineering assessment. ACCT recently completed a similar assessment in Middlebury where they analyzed septic design options and best options for that park. ACCT thinks it is best to plan for all 3 parks at the same.

Greg asked how long ACCT has owned the MHPs—they were purchased in the 1990s from private owners. He inquired about financial support and stability for the parks: how much had been invested in infrastructure since taking ownership? What reserves are built into projects? Elise stated ACCT has invested hundreds of thousands of dollars. The parks cannot support what is needed on their own. The three parks have put \$5-10K in reserves over the past few years, but this has been spent down due to the repairs needed. Significant repairs to septic systems in the last few years have been required.

Koran asked how many other towns have worked with ACCT in this way, with the town as the applicant and then sub-granting to an NGO. Would this set a precedent for others to ask the town to sponsor a subgrant?

Elise said ACCT had this arrangement with the City of Vergennes and also for the McKnight Lane project in Waltham.

Eric asked if ACCT would you be coming back to the town for another grant to implement. Yes, this is a planning grant for \$60K. Later they would apply for capital and implementation grants. It would be a similar application but much larger request.

Eric asked why ACCT would not apply directly. The block grant program is administered through towns. Greg asked if there would be a matching requirement or if the town would be acting on ACCT's behalf. Elise stated that ACCT has sources for the matching portion. There is administrative work including working in the grant portal. The town would need to adopt some policies to be eligible. There are funds available to support grant administration costs for staff time or a consultant. Some towns contract with a member of the PC to be the liaison. Koran also shared concerns about grant administration as the capacity is already reached.

Board members asked a variety of questions about how this grant would benefit the town. Property taxes continue to be an issue, with taxes on some lots going unpaid for several years. Greg asked if the lot taxes could be built into the lot rest, so ACCT would collect and then pay the town. ACCT stated it cannot do this because they do not own the homes. Greg also asked if the town were to provide ACCT with the tax bills, could they look at a model to support the town to ensure taxes are paid. ACCT does not think it can take this work on, though they do have the ability to evict if property taxes are not paid on a lot. The town emphasized the impact of non-payment of taxes on staff. There is an administrative piece and the delinquent tax collector spends time over the year attempting to collect amounts owed.

Nancy asked for materials related to the grant to review before the board makes a decision. ACCT will provide information via Rebecca. They are looking to return for a response from the town at the 2nd meeting of July.

ACCT stated that if they are unable to assess and make investments in the 3 MHPs, the town may see closures.

Rebecca asked about the floodplain issues at Lazy Brook park and the status of applying for a LOMA (Letter of Map Amendment) from FEMA. Elise stated that if they need to wait for that process to occur, then they would ask if the other 2 parks could be separated out for the grant application. Rebecca noted that she has worked closely with ACCT's Chris Oullette who manages the parks and has been helping residents bring their lots into compliance with respect to zoning issues.

Dennis Casey asked if ACCT has held meetings with the park residents re: problems at the parks, the environment, etc. Elise said they plan to hold more resident group discussions in the future.

Elise described the financial situation for the 3 parks and what challenges each face. She said the lot rent doesn't cover park expenses and the parks cannot support themselves. Denny asked if the parks can't support themselves, then how do they get supported. ACCT is working with two consultants to help with refinancing and debt consolidation.

ACCT is looking at how to reduce hard costs such as septic pumping and water pumping stations. The civil engineering assessment would provide information about what systems can be upgraded and what the costs will be so they can plan for the next 20 years.

Lazy Brook and Brookside have potential. Brookside is at 100% occupancy and good demand. Lazy Brook is attractive for renters but the infrastructure challenges persist. Hillside has significant challenges with regard to water issues.

Emergency Management update

Koran continues to participate in the weekly VEMS calls to monitor activity in the state related to the pandemic and municipal functions.

Board members will review the COVID-19 workplan and be prepared to discuss and approve at the July 7 meeting.

Town positions and appointments

Koran contacted the Energy Committee members and is waiting to hear if all wish to continue. Update to be provided at next meeting. Rebecca reported two town residents expressed interest in serving on the DRB. The board wants to meet and interview both candidates and will contact them for the next meeting.

Tax information – Celine Coon

Celine updated the board on discussions about the extension of the tax deadline. The education tax rate is to be set in the first week of July, so the town should be able to set the town tax rate. Because the extension included the homestead form, 15-25% of adjustments will not be available until after Aug 1. Therefore town staff should send out tax bills in September. Education taxes are due 12/12/2020.

Municipal borrowing – Celine and Robert Turner discussed the financial status and whether a municipal loan would be needed. They do not recommend borrowing at this time, as an application would need to be prepared and reviewed for a fee. With internal reserves, the town should be able to cover expenses through internal loans and replace the funds prior to June 30, 2021.

Motion: Greg Hahr made a motion to enter Executive Session per 1 VSA § 313(a)(1) regarding contracts and/or labor relations agreements with employees and pending or probable civil litigation or a prosecution, to which the public boys is or may be a party. Nancy Boss second.

Vote: Approved unanimously

Motion: Eric Cota made a motion to exit executive session at 9:07 p.m. Greg Hahr second.

Vote: Approved unanimously

No action was taken as a result of the executive session.

Motion to adjourn at 9:10 p.m.: Greg Hahr; Eric Cota second.

Vote: Approved unanimously

Respectfully submitted,

Rebecca Elder

SB Assistant

Retreat scheduled for Tuesday, June 23, 2020 at 5:30 p.m. with site visits

Next regular meeting: Tuesday, July 7, 2020 at 5:30 p.m. via Zoom