

**TOWN OF CHARLOTTE
SELECTBOARD
MINUTES OF MEETING
AUGUST 8, 2011**

APPROVED

MEMBERS PRESENT: Charles Russell, Chairperson; Ed Stone, Winslow Ladue, Dennis Delaney. Absent: John Owen.

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS PRESENT: Gerald Bouchard, Jennifer Ciodo, John Limanek, Caleb Elder, Anne Bijur, Ann Owen, David Marshall, Jenny Cole, Hugh Lewis Jr, Stephen Brooks, Nancy Wood, Sheri Duff, Charlotte Citizen; and others.

CALL TO ORDER

Mr. Russell, Chairperson, called the meeting to order at 7:07 p.m.

ADJUSTMENTS TO AGENDA

Add under Selectboard Updates: William Woods Tree issue – discussion; Mount Philo and Spear Street High Risk Rural Roads funding – discussion; and Spear Street paving – discussion.

PUBLIC COMMENT

Mr. Brooks, resident, asked for clarification regarding the Selectboard views on brush and tree trimming to re-opening the Route 7 view corridor. The Moore and Rockefeller parcels were donated on a basis that the view corridor would be kept open, pointed out Mr. Brooks. Mr. Ladue explained that the Park Oversight Committee has stewardship over the Route 7 view corridor. The committee has not put a work plan into place at this time, said Mr. Ladue. Mr. Delaney said he was the Selectboard liaison to the Park Oversight Committee and he would bring the issue to the committee.

Ms. Wood, resident, spoke in support of keeping a view open.

Ms. Cole, Park Oversight Committee member, said that the next committee meeting was scheduled for Monday, 08/15/2011, which was subject to change.

MINUTES: July 25, 2011

Approval of the Selectboard minutes of 07/25/2011 was deferred.

CONFLICT OF INTEREST POLICY – action under consideration: approve the policy

MOTION by Mr. Stone, seconded by Mr. Ladue to approve a draft Conflict of Interest Policy.

DISCUSSION:

Mr. Ladue suggested the following changes to the draft policy as follows:

- 4th line, change “...be beneficially interest...” to read “...benefit interest..”;

- Correct “..her or her...” to read “...his or her...”;
- Add to the end of the 1st sentence “...greater than any other citizen or taxpayer.”

Mr. Brooks asked if the Selectboard should publish the draft policy to gather Charlotte citizen feedback prior to approving the proposed policy.

Ms. Wood suggested using the word ‘significantly’ to the “greater than any other citizen or taxpayer’ phrase. For example, there might be a conflict of interest for Mr. Russell, who has horses, and he seeks to have the use of horses on public trails, said Ms. Wood.

Mr. Delaney explained that he was trying to keep the policy statements as simple as possible. When the High Risk Rural Roads funding was first discussed he brought up that he had a conflict of interest since he lived on one of the roads mentioned, clarified Mr. Delaney.

Ms. Bijur suggested deleting the words “public trust”, or take out the second part of the sentence. Mr. Delaney explained that the basis of the draft policy came from the Vermont League of Cities and Towns head attorney at his request. The draft is not an ordinance. It can’t cover everything. He sees this as a first step. In 5 to 15 years Charlotte could have significant development pressures. This is a tool for Charlotte to have a set of values, said Mr. Delaney.

VOTE: 4 ayes, 1 absent (Mr. Owen); motion carried.

Mr. Delaney thanked Town staff for their assistance in drafting the proposed policy.

CLEAN-UP OF TIRES ON THE KNOWLES PROPERTY – action under consideration: authorize hiring of contractor to be reimbursed by CSWD clean-up fund

MOTION by Mr. Stone, seconded by Mr. Ladue, to approve authorization of hiring a contractor to clean-up tires on the Knowles property, and the expense to be reimbursed by the CSWD clean-up fund.

VOTE: 4 ayes, 1 absent (Mr. Owen); motion carried.

Mr. Russell clarified that Town staff would handle hiring a contractor to clean up the old tires on the Knowles property, and Mr. Brooks, Charlotte CSWD representative, would request funding from the CSWD clean-up fund to reimburse the Town for those expenses.

Ms. Cole asked if there were any other Town properties that needed cleaning up. Mr. Brooks suggested that if there were other clean up projects to contact him.

Suggested projects were: a large pile of debris on Lane’s Lane at the end of the Old Milkman’s Road, and old fencing on Thompson’s Point.

POLICY CREATING PENALTIES FOR LATE FILED HOMESTEAD DECLARATION – action under consideration: approve policy

Mr. Stone requested that the approval of a late filed Homestead declaration penalties policy be tabled until the Town Treasurer could appear before the Selectboard.

APPOINTMENT OF FERRY ROAD SIDEWALK COMMITTEE – action under consideration: appointment committee members and approve charge of the committee

Mr. Bloch handed out copies of a draft Charge to the Ferry Road Sidewalk Committee, dated 08/08/2011, for Board review.

There was brief discussion regarding names forwarded for possible committee positions, a suggestion to include those opposed to sidewalks on the committee as well, and a proposed change to the Purposes section, last bullet, to delete the "...and/or...".

MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Ferry Road Sidewalk Committee members and to approve a charge for the Ferry Road Sidewalk Committee as noted in a draft Charge to the Ferry Road Sidewalk Committee, dated 08/08/2011, as amended to delete "...and/or... in the Purposes section, last bullet.

VOTE: 4 ayes, 1 absent (Mr. Owen); motion carried.

Mr. Russell volunteered as the Charlotte Selectboard liaison to the Ferry Road Sidewalk Committee.

SITING SOLAR ENERGY COLLECTORS ON TOWN PROPERTY – discussion only

Ann Bijur and Caleb Elder, All Earth Renewables representatives, reviewed a Power of Purchase agreement opportunity as outlined in an e-mail and attachments communication to the Selectboard.

There was lengthy discussion regarding Town interest in siting solar trackers on Town property at a total up-front cost of \$1,000; a circular municipal subsidy mechanism involving All Earth Services as a third party, Green Mountain Power (GMP), and the Town; a possible 15 year equipment "rental" agreement with All Earth Services; group net metering; possible number of trackers (10) needed for three Town buildings (the school and the Fire/Rescue buildings were not included); and potential separate side-by-side projects/agreements for schools and town buildings, which was done in Starksboro.

Mr. Delaney asked how technical changes over time would be factored in, and what type of maintenance was required for the trackers. Mr. Elder explained that All Earth Renewables would own the trackers, or the Town could purchase them at fair market value. A tracker wouldn't lose functionality. There were performance guarantees, said Mr. Elder.

Mr. Ladue asked if snow removal on the trackers was done by All Earth Services in the winter, and if mowing in the summer was required. Mr. Elder replied that currently All Earth Services leave trackers level at night and face them to the north to shed snow. It would be the responsibility of a town to mow brush or woody trees at least once a year. A town would pay for the power generated, and All Earth Services has the right to ask a town to control vandalism, or the system would be removed. There is a 10 year warranty on the entire system, stated Mr. Elder.

There was further discussion regarding a potential to lease Town land to All Earth Services; penalties if a system was removed prior to the end of a 15 year commitment; a contract caveat that if the system underperformed drastically then All Earth Systems would remove the equipment; an application process that included Section 248 in an ACT 250 application and permit; approximate footprint of 1.5 acres needed for 27 trackers; and a request for a cash flow analysis for Town review.

Ms. Bijur said that a next step would be to look at Town owned land, and to seek Town interest.

Mr. Ladue asked if a March Town Meeting vote with a May construction time table would be feasible. Mr. Elder replied no. Mr. Ladue asked if delegating contract discussions to the Energy Committee was akin to saying no. Mr. Russell replied yes.

Mr. Stone stated he didn't wish to see solar panels in Charlotte like those in Hinesburg. Mr. Ladue spoke in support of the proposal. Mr. Delaney said he had more questions and suggested continued discussions at a future Board meeting. Mr. Russell said that there were sites in Town that could be discussed. Mr. Bloch asked if staff should have a permit application ready for a September meeting. Mr. Elder said that All Earth Services was willing to compress the time tables with more Town interactions, and would host a meeting with the Selectboard at the All Earth Services offices if that would be helpful.

Ms. Ciodo asked if Charlotte's solar panels could be installed on Hinesburg land. Mr. Elder replied it could be done.

Ms. Wood asked if a four-way partnership with a private landowner was possible. Ms. Bijur replied that a two-way partnership between a landowner and the Town could be done.

The Selectboard thanked Ms. Bijur and Mr. Elder for coming.

BRIDGE ON CO-HOUSING TRAIL – action under consideration: approve spending \$750 for materials for bridge, to be constructed by the Vermont Youth Conservation Corps

MOTION by Mr. Stone, seconded by Mr. Ladue, to approve an expenditure of \$750 for materials for a bridge on the Co-housing Trail, to be constructed by the Vermont Youth Conservation Corps.

VOTE: 4 ayes, 1 absent (Mr. Owen); motion carried.

STAFF PERFORMANCE REVIEWS – action under consideration: determine process

Mr. Russell reviewed a copy of a Personnel Policy.

The Selectboard would meet with individual Town employees for 15-20 minutes in Executive Session on an annual basis regarding goals at 6:30 p.m. at a September meeting. Staff would send a copy of an employee questionnaire form to Mr. Ladue for review. The Senior Center Board would conduct a staff performance review of the Senior Center Town employee.

PURCHASE AND PROCUREMENT POLICY – discussion only

Mr. Ladue reviewed a proposed Purchase and Procurement Policy model related to price points and bid processes and exceptions.

Mr. Stone remarked that the current Town practices worked well. However, he likes the idea of a bid process for getting estimates for brush hogging, said Mr. Stone.

There was discussion regarding changes to thresholds for purchase categories under Section III, Procedures, Note 2. Mr. Bloch reviewed thresholds utilized in a trail grant application as follows: for less than \$3,000 no estimate or bid was necessary; for \$3,000-10,000 an estimate was sought; and over \$10,000 a bid process was completed. Mr. Delaney said he had talked with the Shelburne Town Manager. Mr. Bohne said that a town didn't need to accept the lowest bid depending on quality, etc. Also, known contractors that have done town work could be contacted for bids versus going to a wide bid process. There has to be a good reason to go outside of the parameters, said Mr. Delaney.

Staff and Mr. Ladue would re-work the proposed draft, define “professional services”, and contact Jim Barlow for possible models.

RESCHEDULE OR CANCEL SELECTBOARD'S AUGUST 22ND MEETING

The next Selectboard meeting was scheduled for August 15th in place of August 22nd, 2011. Add Approve High Risk Roads funding document to the August 15, 2011 agenda.

SELECTBOARD UPDATES

- **William Woods** - Mr. Lewis, Charlotte Road Commissioner, would trim tree branches that are overhanging the roadway.
- **Mount Philo and Spear Street High Risk Roads** – Mr. Lewis reported that all the road signs on Mount Philo and Spear Street would need to be replaced to meet the new sign standards. Guardrails on Spear Street would be fixed. The High Risk Roads documents would need to be signed by the Selectboard and returned by August 22, 2011, and the Town road ordinance would need to be amended.
- **Spear Street** – Mr. Lewis would hire Scott's Line Striping to stripe travel lines on the new paved area on Spear Street.

APPROVAL OF BILLS AND WARRANTS

The Selectboard signed bills and warrants.

ADJOURNMENT

MOTION by Mr. Stone, seconded by Mr. Ladue, to adjourn the meeting.

VOTE: 4 ayes, 1 absent (Mr. Owen); motion carried.

The meeting was adjourned at 9:25 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary