

**CHARLOTTE SELECTBOARD
TOWN HALL
MINUTES OF MEETING
JUNE 11, 2012**

APPROVED

MEMBERS PRESENT: Charles Russell, Chair; Ed Stone, John Owen, Dennis Delaney, Winslow Ladue (arrived 7:03 p.m.)

ADMINISTRATION: Dean Bloch, Selectboard Assistant.

OTHERS: David Marshall, Deborah Stone, Greg Smith, Mark McDermott, Mark McDer, Ian Pomerville, Peter Trono, Moe Harvey, Lindsay Longe, Chris Mack, Heather Manning, Meg Modley, Mary Mead, Chris Davis, Kay Gault, Robert Mack, Nancy Wood, Charlotte News; Carol Casey, Charlotte Citizen, and others.

6:00 PM Site Visit: 2545 Thompson's Point Road, Lot 26, Thompson's Point, Colby lease property

CALL TO ORDER

Mr. Russell called the meeting to order at 7:00 p.m.

ADJUSTMENTS TO AGENDA

None.

PUBLIC COMMENTS

None.

MINUTES: May 21, May 31, June 4

MOTION by Mr. Stone, seconded by Mr. Owen, to approve the Selectboard minutes of May 21, 2012 as written.

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

MOTION by Mr. Stone, seconded by Mr. Owen, to approve the Selectboard minutes of May 31, 2012 as written.

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

MOTION by Mr. Stone, seconded by Mr. Owen, to approve the Selectboard minutes of June 4, 2012 as written with edits.

VOTE: 5 ayes; motion carried.

GREG SMITH

The Selectboard interviewed Greg Smith for an appointment to the Recreation Commission.

MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Greg Smith to the Recreation Commission for a three year term ending in April, 2015.

VOTE: 5 ayes; motion carried.

MARK MCDERMOTT

The Selectboard interviewed Mark McDermott for an appointment to the Recreation Commission.

MOTION by Mr. Stone, seconded by Mr. Ladue, to appoint Mark McDermott to the Recreation Commission for a three year term ending in April, 2015.

VOTE: 5 ayes; motion carried.

WILLIAM COLBY, JR ESTATE/PAUL COLBY, 2545 THOMPSON'S POINT ROAD, LOT 26 THOMPSON'S POINT

David Marshall, Civil Engineering Inc., agent, explained proposed improvements on Lot 26 that included shoreline stabilization of exposed soils and restoration of an existing stone wall. Supporting documents and a site plan were submitted, said Mr. Marshall.

Mr. Delaney asked if there were any state or Town hurdles to consider regarding the proposal. Mr. Marshall replied that the Zoning Administrator has determined that it was a repair to existing conditions. No additional permitting is required by the state or Army Corps of Engineers, said Mr. Marshall.

There was discussion regarding the previous stone wall height as determined by viewing historical photographs, a proposed top wall elevation height of 103' to handle wave action, and a site visit conducted this date.

MOTION by Mr. Owen, seconded by Mr. Ladue, to approve a shoreline stabilization and repair of a degraded stone seawall at the William Colby, Jr Estate/Paul Colby, located at 2545 Thompson's Point Road, Lot 26 Thompson's Point, with the height of the seawall not to exceed 103' as per the engineering drawing prepared by Civil Engineering, Inc., dated 04/20/2012.

VOTE: 5 ayes; motion carried.

Mr. Bloch asked that the top elevation of the seawall be added on the detail map.

CVFRS AUDIT

Mr. Russell reviewed two bids received regarding an RFP for the Charlotte Volunteer Fire and Rescue audit.

Mr. Bloch noted that he was not sure that either Betchelder Associates, or Sullivan and Powers had responded exactly for what was requested in the RFP.

Mr. Trono, resident, said that the process of putting out an RFP without a scope of work was backwards. It seemed odd to have only two respondents when RFP's were sent to 10 firms. His audit firm reviewed the proposal and said that the rules were not outlined in the RFP, and wouldn't be until the next Selectboard meeting on June 12th. The

Selectboard had promised they would discuss a scope of audit at this meeting, said Mr. Trono.

Mr. Russell explained that the RFP was sent out 2 weeks ago. What was lacking in the RFP, asked Mr. Russell.

Mr. Ladue said he understood that the RFP was drafted by the State Auditor's Office. Mr. Trono said that his auditor said he would not respond to the RFP as written and that it was too open-ended. What happened to forming a committee as discussed at the last meeting, asked Mr. Trono.

Mr. Ladue said that the Town received 3 responses to the RFP. The RFP included a number of years for an audit. The Town has asked the State Auditor's Office for feedback, said Mr. Ladue.

Mr. Russell briefly reviewed discussions between the Town and Joe Juhasz, Deputy State Auditor, at the April 9, 2012 Selectboard meeting. Mr. Juhasz said that the state would help the Town draft an RFP, and there was a discussion of forming a committee. A few days later Mr. Juhasz said that his office would review the CVFR books and make recommendations. His letter was received and used in the RFP draft to select an audit firm. He would help with drafting a scope of work at the next Selectboard meeting on June 12, 2012 at 5:00 p.m. The RFP gives the Town a choice of audit options, said Mr. Russell.

Mr. Trono expressed concern that one of the bids was for a fixed price per year and the other was for a by the hour bid.

Mr. (Robert) Mack suggested rejecting all the bids, meet with Mr. Juhasz tomorrow and come up with a cleaner process. Mr. Stone agreed, and said that Mr. Jahasz should come back so the Town could find out what to do, and then send out an RFP. People don't know what the Town is looking for, said Mr. Stone.

Mr. Ladue said that when he talked to people at the State Auditor's Office he had expressed concern regarding the RFP wording. He was told that the language and order of events was not uncommon. The Town could select a firm based on factors of cost and renegotiate the scope of work and cost at a follow up meeting, explained Mr. Ladue. Mr. Trono said that if the Town considered an audit on an hourly basis it is important to have the cooperation of the Rescue's bookkeeper, Ray Curtis, the Town Treasurer and former auditor. None of them have been here to talk about the issues, said Mr. Trono. Mr. Stone said that Ray Curtis and Kay Gault have quit the department. They are now available. We should wait and talk to Joe Jahasz before doing anything, suggested Mr. Stone.

Mr. Delaney suggested contacting Gallagher and Flynn. Mr. Bloch pointed out that they focused more on health care issues and a financial audit was not their forte. There are few firms that do a forensic audit. The state gave the Town a list of standard financial audit firms, said Mr. Bloch.

Ms. Mead said that the Betchelder proposal was quite detailed and asked how the Selectboard felt about that firm. Mr. Owen said he was fine with the Betchelder firm since they had done an audit for the Town before. It was uncertain how long the audit will take and that is a concern regarding an hourly charge, said Mr. Owen.

Ms. Wood, speaking as one of the three elected Town auditors, said that the Betchelder firm did good work. They got along well with the Fire and Rescue and the Town Treasurer. The proposal laid out what they would do. They are doing the 2012 Town audit. Every year the Town elected auditors has asked the Rescue about patient billing. Do one year at a time and it should be resolved, said Ms. Wood. Ms. Mead said that the Betchelder firm was thorough and the proposal laid out was clear, said Ms. Mead.

Mr. Stone said that he would like to hear what Joe has to say tomorrow. He had no problem with Bonnie Betchelder, but did have a problem with what she was asked to do, said Mr. Stone.

Ms. Modley asked why the wording 'agreed upon procedures' was not used in the RFP. The State Auditor recommended not using the same audit firm to do a second audit, noted Ms. Modley. Mr. Russell said he reviewed that recommendation with Joe Jahasz and he said to ask Bonnie if she should exclude herself. She responded that she would be doing a different audit than a standard Town audit, explained Mr. Russell.

Mr. Trono said that his auditor said that Bonnie Betchelder would be a good choice as she had done work for the Town.

Mr. Stone suggested discussing with the Fire and Rescue how much money they spend on an audit. The funding would come from the Town budget in either case since the Town funds the departments, said Mr. Stone.

Mr. Russell suggested waiting to select an audit firm until tomorrow. Ms. Mead said that choosing an audit firm was on the warned agenda for this meeting. There was nothing wrong with choosing an auditor and that would prepare for tomorrow night's meeting when Joe Jahasz would help with a scope of audit. The Town will pay for the audit no matter since the Fire and Rescue funding comes from the Town, pointed out Ms. Mead.

MOTION by Mr. Delaney, seconded by Mr. Owen, to accept the Betchelder Associates bid for an audit of the Charlotte Volunteer Fire and Rescue departments. VOTE: 4 ayes, 1 nay (Mr. Stone); motion carried.

TAYLOR HARMELING – REQUEST FOR AN EXTENSION TO RESPOND TO DISCOVERY

MOTION by Mr. Ladue, seconded by Mr. Owen, to enter Executive Session for the purpose of discussing a request for an extension to respond to the Taylor Harmeling discovery, and to invite the Selectboard Assistant to attend.

VOTE: 5 ayes; motion carried.

The Selectboard entered Executive Session at 7:24 p.m.

MOTION by Mr. Stone, seconded by Mr. Owen, to adjourn Executive Session.

VOTE: 5 ayes; motion carried.

The Selectboard came out of Executive Session at 7:27 p.m.

MOTION by Mr. Stone, seconded by Mr. Ladue, to grant a request for an extension to the Taylor Harmeling discovery to Mid-August, 2012, as presented.

VOTE: 5 ayes; motion carried.

LICENSE TO USE MARSHALL AND SWIFT COST TABLES

MOTION by Mr. Owen, seconded by Mr. Stone, to approve a Letter of Agreement and payment of \$231.85 for the use of the Marshall-Swift Cost Tables for one year.

VOTE: 5 ayes; motion carried.

MAINTENANCE AGREEMENT FOR HVAC UTILITIES IN THE TOWN HALL

Mr. Russell recused himself due to a possible conflict of interest with one of the bidders, and departed the meeting at 8:13 p.m.

Mr. Bloch reviewed a scope of work that included the air conditioner, air mover, furnace and hot water heater.

Mr. Harvey said that a firm that services air conditioners shouldn't touch the boiler. His firm was undergoing licensing for air conditioning systems, said Mr. Harvey.

Mr. Stone said there was no reason to change from Vermont Mechanical, which has been serving the Town system for years.

MOTION by Mr. Stone, to retain the services of Vermont Mechanical for the next year. Mr. Stone withdrew his motion due to a lack of a second.

MOTION by Mr. Ladue, to accept a proposal from Vermont Energy Contracting for \$250 to maintain the Town Hall HVAC for the next year.

DISCUSSION:

Mr. Bloch pointed out that the HVAC system was not serviced this spring. The contract came up before this spring's service date.

Mr. Harvey said that he would volunteer to review the firms that bid on the contract this week and make recommendations to the Town.

Mr. Ladue withdrew his motion due to a lack of a second and Mr. Harvey's offer.

DONATION TO CAMP TA KUM TA IN HONOR OF CHRIS ROCKWOOD

Ms. Mead reviewed that Camp Ta Dum Ta had been important to Chris Rockwood. A donation in his memory would be a good Town gesture, said Ms. Mead.

Mr. Stone said that Chris did a good job, however a donation for a non-resident would set a precedent for something not in the Town budget. Ms. Manning said that she would give the \$1,000 from her budget and stipend in honor of Chris. He promoted the Town with dignity and smiles, said Ms. Manning. Mr. Owen said that he agreed with Mr. Stone regarding setting a precedent.

Mr. Russell noted that a precedent has been set already when the Town had donated its old ambulance a few years ago. The Town received angry phone calls from residents that the Town gave away \$12,000 of Town money, said Mr. Russell.

MOTION by Mr. Owen, seconded by Mr. Delaney, to donate \$1,000 from Town funds to Camp Ta Kum Ta in honor of Chris Rockwood.

DISCUSSION:

Mr. Delaney asked Ms. Manning if she was comfortable in making a donation from her budget. Ms. Manning replied that her budget and stipend funding was approved money that she has not used. She would donate the funds in honor of Chris if the Town wouldn't do it, stated Ms. Manning.

Ms. Mead pointed out that there was money in the Miscellaneous Income line item that could be used.

Mr. (Robert) Mack, resident, said that the funds should come from the Town and not the Lister's budget.

AMENDMENT to the motion by Mr. Owen, seconded by Mr. Delaney, to donate the funds from the Miscellaneous Income line item.

VOTE: 4 ayes, 1 nay (Mr. Stone); motion carried.

SELECTBOARD UPDATES

None.

APPROVE WARRANTS TO PAY BILLS

The Selectboard members signed bills and warrants.

ADJOURNMENT

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 8:25 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary