

**CHARLOTTE SELECTBOARD
TOWN HALL
MINUTES OF MEETING
JUNE 25, 2012**

APPROVED

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

OTHERS: Peter Trono, Moe Harvey, David Schermerhorn, Bonnie Batchelder, Ed Sulva, Mary Mead, Chris Davis, Robert Mack, Jenny Cole, Sue Smith, Carrie Spear, Bill Fraser-Harris, Hugh Lewis Jr, Gary Pittman, Larry Coletti, Kevin Bessett, Roger Richmond, Joe Keenan, David Miskell, Nancy Wood, Charlotte News; Carol Casey, Charlotte Citizen, and others.

SITE VISIT: 100 State Park Road to view proposed curb cut for house driveway

CALL TO ORDER

Mr. Russell called the meeting to order at 6:00 p.m.

BONNIE BATCHELDER – MEETING TO DETERMINE THE SCOPE OF THE CHARLOTTE VOLUNTEER FIRE AND RESCUE SERVICE (CVFRS) AUDIT

Bonnie Batchelder and Patty Rastau, Batchelder Associates, met with the Selectboard regarding a CVFRS audit and determination of a Scope of Work discussion.

Mr. Russell asked if Mr. had a potential conflict of interest regarding a discussion related to his son, Bobby Stone. Mr. Stone replied no, he did not have a conflict of interest.

Mr. Russell said that the Town had no written policies how the CVFRS funds were spent. There were issues with the process for patient billing and when revenue was received by the Town. A recent issue involved \$8,000 spent on a truck that tipped over and the funds didn't come back to the Town, said Mr. Russell. Mr. Davis said that there were no clear policies in place.

Mr. Mack, resident, asked for clarification on FY2011-2012 ending cash and FY 2012-2013 beginning cash balances. There should be \$8,000 left. The Town Treasurer said that the \$435,000 was spent and all the CVFRS funds would be gone by July 1st. Patrice said that she hadn't heard about a \$100,000 at the last meeting, said Mr. Mack.

Mr. Russell asked Ms. Batchelder if a proper starting point would be from five years ago. Ms. Batchelder suggested that she could start an audit at July 1st and cover the 7 months for FY2012-2013.

Mr. Ladue asked if an audit should be started July 1, 2011 to June 31, 2012. Ms. Batchelder explained she would do a complete 100 percent review of transactions from July 1, 2011 through February, 2012. She was comfortable with the ending number

regarding cash. She did have questions regarding the November, 2011 when she did a Town audit. There was a check from Linda Foote that wasn't cashed until July, 2012. There was a discrepancy in the check numbers. Other than that she was comfortable with the audit done, said Ms. Batchelder.

Mr. Stone asked Ms. Batchelder if she was under the impression that the Town only wanted an audit of the 7 months. Ms. Batchelder replied that the RFP was specific that an audit was for 5 years back, plus the 7 months. Mr. Stone stated that he wanted a full blown audit for the entire period, not just a couple of months. At the Town Meeting he wanted the taxpayers to have trust in the CVFRS budget, said Mr. Stone.

Mr. Mack said that the CVFRS showed patient billing revenue of \$6,100 per month from July 1, 2011 to the end of January, 2012 and \$1,500 in revenue in February 1, 2012. Why the difference, asked Mr. Mack. Ms. Mead explained that the figures were a monthly average. July 1, 2011 to January 31, 2012 she collected \$47,000 in patient billing, which was an automatic deposit to the bank account, and two checks from Fire and Rescue. To date she has collected \$108,000 in patient billing, said Ms. Mead. Mr. Russell clarified that there was a time delay between service rendered, when patients were billed and when invoices were paid and received by the Town. Chief Davis pointed out that the amount received depended on what happened on a call and that Charlotte residents were not billed as per the Rescue instructions. Mr. Sulva said that Rescue had not been asked that question before.

Mr. Trono asked Ms. Batchelder if that was an area the auditors should explore. Ms. Batchelder replied that it would depend on the time of year. If it was earlier in the year there could be more calls to Charlotte residents. She couldn't answer that question at this time, said Ms. Batchelder.

Mr. Russell asked for clarification regarding a Rescue policy on how Charlotte residents have been treated. Chief Davis said that for the last five years the billing agency was told that there was a 'no forced billing' to Charlotte residents.

Ms. Balaban asked if the CVFRS kept a flow chart on the department needs, wear and tear on equipment, how many runs per week, etc., so that trends could be identified. Trends could be for staffing needs, ebb/flow of revenues, tracking money into the Town, projected equipment needs and expected revenues, for example. There were questions related to a larger discrepancies, said Ms. Balaban. Mr. Sulva replied that the Town Report shows trends in funds voted on by the Town each year. The departments have worked to keep the budgets flat-lined with the exception of payroll. The Town understands and gives feedback on fluctuations, said Mr. Sulva.

Ms. Balaban asked if the department tracked calls. Mr. Sulva said that they don't track spending on amounts of \$30 for gas, for example, or breaking a fire hose.

Ms. Balaban pointed out that the department had a large number of calls over the last four months and revenues were larger. Chief Davis said that staffing hasn't changed, and he

couldn't predict equipment needs for the ambulance, which must be stocked and ready to go. On each call supplies were drawn from the hospital to keep the ambulance stocked, explained Chief Davis.

Mr. Delaney asked Ms. Batchelder if a municipal audit like this was fairly common in her experience. Ms. Batchelder replied that the last 3-4 years Vermont has seen full audits on the rise due to a lot of issues.

Mr. Russell asked Ms. Batchelder what she would need from the Town related to records, such as 5 years of patient billing, and for an analysis of funding.

Mr. Ladue suggested either pursuing a full 5-year audit, or a scope of service, or an incremental approach as outlined by the State Auditor's Office.

Ms. Batchelder explained that unless a full audit from A-Z was done, an incremental audit of 5 percent sampling would include assumptions built into the audit. If we start with the first year and conduct an analytical review there would be assumptions of patient billing. Is that really what the Board wants at the end of the audit, asked Ms. Batchelder.

Mr. Delaney, Mr. Owen and Mr. Stone spoke in support of a 5-year full forensic audit. Mr. Ladue said it should be an audit as per the RFP. Ms. Batchelder replied she would do an audit exactly as per the RFP. That would include a review of vendors, and a risk analysis as part of an analytical review. She would look at every invoice. The audit would take approximately 6-8 weeks depending upon cooperation, said Ms. Batchelder.

MOTION by Mr. Owen, seconded by Mr. Stone, to approve a Scope of the Charlotte Volunteer Fire and Rescue Service forensic audit from 2008-2012 for an amount not to exceed \$27,700.

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

The Selectboard Chair called a break from 7:00 p.m. to 7:02 p.m.

ADJUSTMENTS TO AGENDA

None.

PUBLIC COMMENTS

Ms. Cole and Ms. Smith, Park Oversight Committee members, reported that Robert Mack's cows were still in the park. One of the continuing problems involved a fence partly constructed by Mr. Mack. The cows were in a portion of the park leased to Clark Hinsdale without authorization by the Town to do so, said Ms. Cole. Mr. Russell noted that Mr. Mack said he would get a sub-lease from Clark.

Ms. Cole said that further discussion was needed regarding a sub-lease. The committee was working in the Park to clear brush for a link for a horse trail. Any discussions regarding a lease needed to include the Park Oversight Committee. Clark doesn't pay for

the use of that part of the park in exchange for brush hogging his current lease, noted Ms. Cole.

Mr. Ladue said that it sounds like Clark was allowing Robert to use that part of the park. Ms. Cole replied that the Town should have a say in what happens in the park. The cows are there and the issue needs to be resolved. The committee would like the Selectboard to get a message to the Mack's that the fence needs to be completed and to keep the cows out of that part of the park, said Ms. Cole. Mr. Russell said that he would contact Robert Mack.

Mr. Delaney asked if there was a fixed time limit to resolve the issue. Ms. Smith replied that she would like the cows removed in a timely manner. There was an old existing fence by the hedge row. Robert could move his cows out and fix the gate. Then he could work on the new fence, suggested Ms. Smith.

DISCUSSION OF CVFRS INVOICE POLICY WITH TOWN TREASURER

Mr. Stone recused himself due to a conflict of interest.

Mr. Russell reviewed an invoice received by the Town Treasurer signed by the Rescue Chief requesting reimbursement of Paramedic training fees for Bobby Stone, dated 2010-2011.

Ms. Mead explained that Linda Foote reviewed the invoice previously and rejected the request. It was recently received by the Town Treasurer for payment. Rescue Chief Pomerville told Bobby Stone that he would be reimbursed for the second half of the training sessions. He was reimbursed for the first half. The expense occurred in the Fire and Rescue budget for 2010-2011. The invoice request was an anomaly. She told them could take it out of their Special Funds account, and the invoice was forwarded to the Selectboard Chair for review as per the Town Treasurer's policy. It was her understanding that Fire and Rescue personnel were reimbursed for training while they were working at the station. They were not reimbursed if they didn't work at the station. She did not write a check and asked the Board to discuss the issue, said Ms. Mead.

Mr. Russell pointed out that the invoice requisition signed by Chief Pomerville was dated this year.

Fire Chief Davis said that it appeared that there might be \$4,000 in the Special Funds account. Ms. Mead stated that there was still payroll to pay. Chief Davis said that the line item would be overspent with the payroll expense included. The Fire budget was under spent to date. They were over spent on the Corporation side related to building and vehicle maintenance. Line items would be reorganized in the budget, said Chief Davis.

Ms. Mead reiterated her policy on paying invoices. A signed invoice was received from Fire or Rescue, she wrote a check and the invoice and check was then given to the Selectboard to review and approval. She gave the Stone invoice to the Selectboard a long

time ago. This was a perfect time for the Selectboard to implement a policy, said Ms. Mead.

Mr. Delaney asked if the money was owed. Mr. Russell reiterated that it was a requisition put in to us to pay the bill. Stone had an agreement with the Rescue Chief to work the expense off by volunteer hours at the station. The issue could be discussed at a future agenda, suggested Mr. Russell.

Mr. Richmond, resident, asked if Bobby Stone passed the course. Chief Davis replied yes.

Mr. Ladue said that he had an issue with the timing of the 12/15/2009 date. A question was this during the time Bobby Stone was working for the Town, asked Mr. Ladue.

Ms. Wood, resident, noted that the Town was providing funds for the Fire and Rescue, and asked if the Town wanted to be involved with the Fire and Rescue policies.

Mr. Russell said there have been discussions before. Would treat them like any other Town department. If they go over budget then a discussion was needed regarding how to rearrange it. A policy with Ms. Mead needs to be discussed. The Board could pass the invoice back to her and have her pay it, suggested Mr. Russell.

Mr. Owen suggested letting the Rescue department pay the invoice if there were funds in their budget.

Mr. Keenan, resident, said that if Bobby Stone was working off the expense as a volunteer then that implies that he was being paid while a volunteer. That could be taxable income that needs to be reported to the IRS. If the Town contracted for a service and the Town didn't send out a 1099 it could come back on the Town, said Mr. Keenan.

Mr. Russell said that it was not on the agenda to approve the expenditure. Mr. Ladue pointed out that the Town didn't have an agreement with Stone. Ms. Mead gives us a note with the invoice that it was an anomaly. It sounds like it was signed off by the Rescue Chief, said Mr. Ladue.

The Selectboard warned a public meeting for Tuesday, June 26, 2012 at 6:00 p.m. to continue discussion regarding the CVFRS budget.

Mr. Stone rejoined the Selectboard.

Chief Davis asked Ms. Mead if she could add subtotals to the Fire and Rescue budget spread sheets. It would help him figure out remaining balances, said Chief Davis. Ms. Mead said that the Fire Department has Linda Foote's invoices. She could break out what she has done since February first, said Ms. Mead

BEN CHARTRAND – REQUEST FOR A HIGHWAY ACCESS PERMIT AT 100 STATE PARK ROAD

Mr. Russell briefly reviewed a Highway Access Permit request by Ben Chartrand for a location at 100 State Park Road. There was a 50 mph speed limit on State Park Road, which should be lowered for safety reasons, said Mr. Russell.

Mr. Russell noted that Mr. Chartrand was not in attendance to answer questions.

Hugh Lewis Jr, Charlotte Road Commissioner said that the sight distances at the proposed HAP location was 350 on the east and 300 on the west. It was not in a good location for the speed limits on the road. It should be moved westerly to the brow of the hill if there was a way for a driveway to go around an existing mound system septic, suggested Mr. Lewis.

MOTION by Mr. Delaney, seconded by Mr. Owen, to approve a request for a Highway Access Permit by Ben Chartrand for a location at 100 State Park Road, with a 15" x 30' culvert as recommended by the Charlotte Road Commissioner.

DISCUSSION:

Mr. Owen asked if the HAP should be approved if there were questions related to safety. Mr. Lewis said that if the speed stays at 50 mph then it should not be approved. As cars came off Route 7 they were flying by the time they reached State Park Road. However, there were existing driveways near that location already, said Mr. Lewis.

Mr. Stone said that even if the speed was changed from 50 mph car drivers would still speed. Either the speed limit should change, or the HAP location, said Mr. Stone.

Mr. Owen suggested tabling the Motion to see if the driveway location could be accommodated at the hill.

Mr. Lewis expressed his concerns regarding sight distances and said he would contact Mr. Chartrand about moving the driveway location.

Mr. Delaney and Mr. Owen withdrew the motion.

TREE WARDEN REQUEST FOR \$300 FROM RUTTER FUND

MOTION by Mr. Stone, seconded by Mr. Owen, to approve a request from the Charlotte Tree Warden for \$300 from the Rutter Fund.

VOTE: 5 ayes; motion carried.

GREEN MOUNTAIN BICYLCE CLUB

MOTION by Mr. Stone, seconded by Mr. Owen, to approve a request to use Town roads for timed rides sponsored by the Green Mountain Bicycle Club on July 12 and August 23, 2012, as presented.

VOTE: 5 ayes; motion carried.

JUVENILE DIABETES RESEARCH FOUNDATION – action item

MOTION by Mr. Stone, seconded by Mr. Owen, to approve a request to use Town roads and the Lake Field parking area for a rest stop for the Ride to Cure Diabetes on July 14, 2012, as presented.

VOTE: 5 ayes; motion carried.

Mr. Fraser-Harris, Recreation Commission representative, said that a port-a-potties would be at the rest stop.

DONATIONS TO ORGANIZATIONS OUTSIDE OF THE APPROVED BUDGET**– discussion only**

Mr. Russell noted that Ms. Machavern was out of town, and suggested deferring a discussion on donations to a future agenda.

WEB-SITE - INCREASE CAPACITY – action item

Mr. Owen asked if anyone had looked into a cheaper way to increase web-site capacity versus a proposed \$500 cost.

Mr. Russell suggested that the proposed \$500 increased annual cost for additional web-site capacity could be approved for this year, and research of comparable capacity/costs could be done for next year.

MOTION by Mr. Owen, to approve an additional \$500 annual cost for added capacity for the Town web-site. The motion died for lack of a second.

USDA WILDLIFE SERVICES – action item

MOTION by Mr. Stone, seconded by Mr. Ladue, to sign a USDA Wildlife Services application for authorization to trap with live cages skunks and raccoons for a rabies vaccination study as presented.

DISCUSSION:

Mr. Lewis said that he discussed the details of the study with the USDA representative. Traps would be set along side the roadways and checked daily, reported Mr. Lewis.

Mr. Russell read a copy of the proposed study.

VOTE: 5 ayes; motion carried.

SENIOR CENTER – LIGHTING PLAN FOR PARKING LOT – action item

Mr. Pittman, Senior Center representative, explained a proposal to replace existing bollard lighting located at the existing parking lot parameter with four standard pole lights. The new lights were needed due to increased evening activities at the Senior Center. The layout costs were \$1,000 and it was estimated that the four poles would cost \$13-23,000, said Mr. Pittman.

Mr. Stone suggested that Mr. Pittman address concerns from the neighbors before continuing with the proposal.

Mr. Russell asked if a light was raised higher as an experiment. Mr. Pittman replied yes.

Mr. Russell suggested delaying the proposal and putting the cost into next years' budget. Mr. Pittman said that the Senior Center was willing to take the expense out of next years' budget.

There was further discussion regarding a site plan that was needed to present at Planning Commission hearings, having electrical connections in place for the new poles, and questions related to Town funding of a larger cost for four standard lighting poles.

MOTION by Mr. Ladue, seconded by Mr. Owen, to authorize an expenditure up to \$1,000 for an evaluation of a lighting plan as long as there were funds available in the Senior Center budget next year.

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

SELECTBOARD UPDATES

Mr. Russell asked Mr. Mack if he would remove his cows from the Park in two days. There was an old fence in the hedge row and Mr. Mack would need to fix the gap in that fence to keep his cows out, said Mr. Russell. Mr. Mack replied that getting electricity to the new fence under construction was an issue. He would need to build another fence to Meg's line, said Mr. Mack.

Following further questions regarding a definite time frame to remove his cows, Mr. Mack said that he might be able to remove his cows by July 15th.

Mr. Mack asked the Board for an update regarding the on-going Route 7 Overlook view corridor clearing project. Mr. Ladue explained that the Selectboard had conducted a site visit to the Overlook to see the progress of tree and brush cutting on Park property. The brush and tree cutting was being done by volunteers. The Park Oversight Committee has been talking to someone willing to consider cutting or digging up trees to be planted elsewhere. Stewardship of the view was an on-going project subject to budgetary restraints each year, said Mr. Ladue.

Mr. Mack stated that view maintenance work has a diminishing factor as trees grew up. A bulldozer was needed, suggested Mr. Mack.

Mr. Russell reported on the Charlotte Solar Farm, LLC Public Service Board (PSB) hearings. A PSB staffer brought up an issue related to a proposed 5 percent reduction of the project. It was not clear what that meant, or if the project would be denied on that basis. There would be briefings and counter- briefings. There might be a PSB decision by August. The PSB hasn't agreed with the Stipulation at this time, said Mr. Russell.

Mr. Russell said that the next meeting of the Selectboard was warned for June 26, 2012 at 6:00 p.m.

APPROVAL OF BILLS AND WARRANTS

The Selectboard members signed bills and warrants.

ADJOURNMENT

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

VOTE: 5 ayes; motion carried.

The meeting was adjourned at 8:20 p.m.

Respectfully submitted, Kathlyn Furr, Recording Secretary