

**TOWN OF UNDERHILL  
SELECTBOARD MEETING MINUTES  
6:00 p.m., Thursday, March 13, 2014**

**Selectboard:** Seth Friedman, David Rogers and Cliff Peterson

**Town Staff:** Brian Bigelow

**Public:** Al Rodgers (MMCTV), Pam Parshall, Rod & Cindy Bruner, David Villeneuve, Chris Hunt , Janet & Stephen Herrero, Dan & Jan Steinbauer, Keith & Joann Johnson, Craig Heindel.

**6:00 p.m.** Meeting called to order.

**6:01 p.m.** **Public Comment** – No public comment

**6:03 p.m.** Annual Selectboard Organizational Items

Election of Selectboard Chair – On a motion by David Rogers, seconded by Cliff Peterson, the Selectboard elects Seth Friedman as the Selectboard Chair. The motion passed 2-0, Seth Friedman abstaining.

Election of Selectboard Vice Chair – On a motion by Cliff Peterson, seconded by Seth Friedman, the Selectboard elects David Rogers as the Selectboard Vice Chair. The motion passed 2-0, David Rogers abstaining.

On a motion by David Rogers, seconded by Cliff Peterson the Selectboard appoints themselves as Fence Viewers, Inspectors of Lumber, Shingles and Wood, Tree Wardens and Weighers of Coal. The motion passed 3-0.

Rules of Procedures and Schedule – The Selectboard reviewed and discussed the proposed Rules of Procedure. The rules were identical to the previous year with two additional paragraphs (#12 and #13). These paragraphs authorize a single Selectboard member to authorize warrants (#12 biweekly payroll and #13 emergency) subject to review by the full board at the next following regular meeting. Paragraph #12 was included in anticipation of a change to regular Selectboard meetings from Thursday evenings to Tuesday evenings. The Selectboard reviewed and approved a draft schedule for meeting every other Tuesday starting March 18, 2014 at 6:00PM. Conflicts with Veteran's Day and Town Meeting Day will be deconflicted closer to those dates.

On a motion by David Rogers, seconded by Cliff Peterson and approved by a 3-0 vote the Selectboard adopts the Rules of Procedures as proposed and will meet every other Tuesday at 6:00PM starting March 18, 2014. Schedule to be posted at the Town Hall, Underhill and Underhill Center Post Offices and Town Website.

Appointments and Reappointment to Town Bodies and Positions –

On a motion by David Rogers, seconded by Seth Friedman and passing by a 2-0 vote (Cliff Peterson abstaining); Cliff Peterson and Carolyn Gregson were reappointed to the Underhill Planning Commission for four year terms expiring in March 2018.

On a motion by David Rogers, seconded by Cliff Peterson and passing by a 3-0 vote; Karen McKnight and Will Towle are reappointed to the Underhill Development Review Board for three year terms expiring in March 2017.

On a motion by David Rogers, seconded by Cliff Peterson and passing by a 3-0 vote; Shanie Bartlett is reappointed as an Alternate to the Underhill Development Review Board for a one year term expiring in March 2015.

On a motion by David Rogers, seconded by Cliff Peterson and passing by a 3-0 vote; Peter Duval, Chris Miller and Bob Murphy are reappointed to the Underhill Energy Committee for three year terms expiring in March 2017.

On a motion by David Rogers, seconded by Cliff Peterson and passing by a 3-0 vote; Patrick Lamphere is appointed to the Underhill Conservation Commission for a three year term expiring in March 2017.

On a motion by David Rogers, seconded by Cliff Peterson and passing by a 3-0 vote; Jennifer Silpe is reappointed as the Underhill Animal Control Officer for a one year term expiring in March 2015.

On a motion by David Rogers, seconded by Cliff Peterson and passing by a 3-0 vote; Suzanne Kusserow is reappointed as the Underhill Town Service Officer for a one year term expiring in March 2015.

Staff to make notifications.

6:20 – Stephen & Janet Herrero and Craig Heindel

The Herreos remain concerned about the Access Application before the Selectboard for RA068T. They had requested a spot on the Agenda to address those concerns. They retained Hydrogeologist Craig Heindel of Waite Heindel to review the site, application, design and the Underhill Road Policy. Craig Heindel spoke to the results of his review to include that there was a roughly 12.5 acre forested watershed that would potentially impact the Herreros. The area is of concern for the steep slopes, hardpan soils and the required clearing (estimated at 1.5 acres or roughly 10% of the watershed) for the proposal. It is anticipated that there would be a little more stormwater, it would be more concentrated and move at a greater velocity and that is a concern for the Herreros and ought to be a concern for the Town as there is the potential for an adverse impact on the Range Road transverse culvert. Craig Heindel distributed copies of his larger displays.

David Rogers inquired about mitigation options. Heindel replied that there were traditional engineering options to include check dams and stormwater retention/detention ponds. He recognizes that these are difficult on properties like this one but that drainage needs to be addressed under the Road Policy.

6:30 – Old Business

Access Application for RA068T -Staff distributed copies of a letter prepared for the Herreros by Attorney Christopher Nordle dated March 13, 2014. The latest submittal from the applicants was a March 10, 2014 email from David Burke is that they were still proceeding with the application to include seeking exceptions to the standards. Staff briefed that the property had transferred and it is currently owned by Chris Hunt.

The Selectboard consensus was that they would like to see a reengineered design and reviewed their concerns: to include a lack of interest in the extreme grade, the jetting effect in general and the impact transverse culvert specifically.

Staff offered to relay concerns to Burke-O'Leary. Chris Hunt said that he had heard everything and had more control now as owner and would talk to them.

6:40 - Cliff Peterson left the meeting.

Route 15 / Underhill Flats Sidewalk - Staff briefed Selectboard on status. The Request for Design Engineering Proposals was out and submittals are due March 20<sup>th</sup>. Staff to contact Margaret Armstrong, P.E. and see if she is available to help evaluate proposals.

Capital Improvement Program – The Board discussed the way forward to follow up on Town Meeting Day discussions to include funding structure. David Rogers would like to see a policy to address the reserve component and increase resident's comfort level. The possibility of forming a committee or task force discussed. Chair to contact Town Finance Officer.

Letter from Jericho's Town Administrator Todd Odit regarding plowing at the Riverside Park after the Winter of 2014 – 2015 received. Town Administrator to contact Jericho Underhill Park District.

Seth Friedman voiced concern that the Finance Office was utilized as a meeting place and that this should not happen in the future. Consensus of Board was that it is bad practice and can not happen again

Town Administrator will attend a Saturday (March 15, 8:00AM – 4:30PM) training session on Incident Command System (ICS100). This is a prerequisite for a Town Official to sign off on the Local Emergency Operations Plan. Board consensus that Staff time would be compensated with the equivalent of an 'Earned Day Off' at a future date.

**6:55 p.m. Warrants and Minutes**

Current Warrants reviewed and signed.

Review of 02/27/14 Minutes. David Rogers moved to approve the minutes of 02/27/2014. Seth Friedman seconded and the motion passed 2-0.

**7:00 p.m. Announcements/Schedule**

Announcement made of next regular Selectboard Meeting scheduled for March 18, 2014 at 6:00PM.

**7:01 p.m. Adjournment.**

David Rogers moved to adjourn. Seth Freidman seconded and the motion passed 2-0.

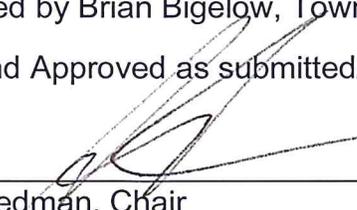
Immediately following adjournment; the Selectboard convened as the Underhill Liquor Control Board for consideration of the Tobacco and Liquor License Renewal Applications for Wells' Corner Market. Staff relayed that the employees were current with their necessary training and education and that they had passed an unannounced compliance test conducted by the Department of Liquor Control.

David Rogers moved to endorse the tobacco and liquor renewal applications of Wells' Corner Market. Seth Friedman seconded and the motion passed 2-0.

At 7:03 David Rogers moved to adjourn the Underhill Liquor Control Board. Seth Freidman seconded and the motion passed 2-0.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended

  
Seth Friedman, Chair

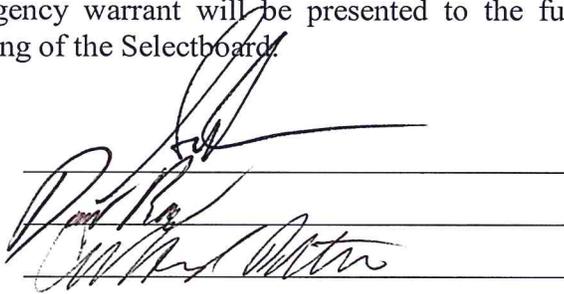
3-18-14  
Date

## **Underhill VT Selectboard Rules of Procedure**

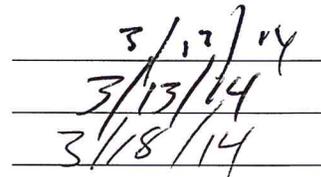
- A. PURPOSE.** The Selectboard of the Town of Underhill is required by law to conduct its meetings in accordance with the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. Meetings of the Selectboard of the Town of Underhill must be open to the public at all times, except as provided in 1 V.S.A. § 313. At such meetings, the public must be afforded reasonable opportunity to give its opinion on matters considered by the Selectboard so long as order is maintained. Such public comment is subject to the reasonable rules established by the chair of the Selectboard. 1 V.S.A. § 312(h).
- B. APPLICATION.** This policy setting forth rules of procedure for Selectboard meetings shall apply to all regular, special, and emergency meetings of the Town of Underhill Selectboard.
- C. PROCEDURES.**
1. The Selectboard shall meet as per the attached schedule.
  2. The chair of the Selectboard, or in the chair's absence, the vice-chair, shall chair all Selectboard meetings.
  3. The chair shall rule on all questions of order or procedure and shall enforce these rules as required by 1 V.S.A. § 312(h).
  4. A majority of the members of the Selectboard shall constitute a quorum. If a quorum of the members of the Selectboard is not present at a meeting, the only action that may be considered by the Selectboard is a motion to recess or adjourn the meeting.
  5. At the beginning of each Selectboard meeting, there shall be 5 minutes afforded for open public comment. By two-thirds/majority vote, the Selectboard may increase the time for open public comment and may adjust the agenda items accordingly.
  6. Each Selectboard meeting shall have an agenda. Those who wish to be added to the meeting agenda shall contact the Town Administrator or Selectboard chair to request inclusion on the agenda. The Selectboard chair shall determine the final content of the agenda unless otherwise delegated.
  7. All business shall be conducted in the same order as it appears on the agenda, unless by consensus the Board agrees to take item(s) out of order.
  8. Public comment on issues discussed by the Selectboard, if not offered during the open public comment period, may be offered during the meeting with the permission of the chair. Such comment, if permitted, shall be limited to 3 minutes, unless by [unanimous/two thirds/majority] vote, the Selectboard increases the time for public comment.
  9. Meetings may be recessed to a time and place certain.

10. These rules shall be made available at all meetings, and procedures for public comment shall be reviewed at the beginning of all meetings.
11. These rules may be amended by [unanimous/two thirds/majority] vote of the Selectboard, and must be readopted annually at the organizational meeting.
12. Any one Selectboard member can authorize the bi-weekly payroll warrant by signature on or before the Thursday of the payweek in accordance with payday policies established in the Town of Underhill Employee Handbook. A quorum of the Selectboard will review and approve the payroll warrant at the next following regular meeting of the Selectboard.
13. Any one Selectboard member can authorize an emergency warrant in instances where payment cannot wait until the next regularly scheduled meeting of the Selectboard. The emergency warrant will be presented to the full board at the next following regular meeting of the Selectboard.

**ADOPTED:**

  
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Signatures

  
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Date

Town of Underhill Selectboard Meeting Schedule  
For March 2014 thru March 2015

All meetings are held at the Underhill Town Hall at 6:00PM

March 2014

Thursday - 13<sup>th</sup> and Tuesday - 18<sup>th</sup>

April 2014

Tuesday - 1<sup>st</sup>, 15<sup>th</sup> and 29<sup>th</sup>

May 2014

Tuesday - 13<sup>th</sup> and 27<sup>th</sup>

June 2014

Tuesday - 10<sup>th</sup> and 24<sup>th</sup>

July 2014

Tuesday - 8<sup>th</sup> and 22<sup>nd</sup>

August 2014

Tuesday - 5<sup>th</sup> and 19<sup>th</sup>

September 2014

Tuesday - 2<sup>nd</sup>, 16<sup>th</sup> and 30<sup>th</sup>

October 2014

Tuesday - 14<sup>th</sup> and 28<sup>th</sup>

November 2014

Tuesday - 11<sup>th</sup> and 25<sup>th</sup>

December 2014

Tuesday - 9<sup>th</sup> and 23<sup>rd</sup>

January 2015

Tuesday - 6<sup>th</sup> and 20<sup>th</sup>

February 2015

Tuesday - 3<sup>rd</sup> and 17<sup>th</sup>

March 2015

Tuesday - 3<sup>rd</sup>