

**TOWN OF UNDERHILL
SELECTBOARD MEETING MINUTES
Underhill Town Hall
Tuesday, February 13, 2018 6:00 p.m.**

Selectboard: Rick Heh, Kurt Johnson and Pat Sabalis

Town Staff: Brian Bigelow

Public: Ruth Miller (MMCTV), Stacey Turkos, Dan Manz, Bill Wilson, Gerard Adams, Charlie Baker, Peter Bennett, Karen McKnight

6:00 p.m. Call to order, adjustments to agenda. Meeting called to order by Rick Heh. Additions made to the agenda: Boring for bridge engineering to Old Business, Moderator Town Meeting questions and commercial sap hauling to New Business.

6:02 p.m. Public Comment Period. None

6:03 p.m. Chittenden County Regional Planning Commission (CCRPC) ECOS Plan. Charlie Baker, CCRPC Executive Director distributed a handout to augment previous submittals. The CCRPC ECOS Plan (Environment, Community, Oppportunity and Sustainability) was discussed to include adoption schedule and major components: Energy, Transportation and Economy. The first Public Hearing is February 21st and comments are sought before or at the hearing.

6:38 p.m. Underhill Energy Committee (UEC), Solar Array at Old Town Landfill. Steve Webster (via email distributed prior to meeting), Peter Bennett (UEC Chair), Jerry Adams (UEC member), Karen McKnight (Underhill Conservation Commission (UCC) Chair and area property owner Stacey Turkos discussed status of proposal by Green Lantern Group (GLG).

The recommendation of the UEC is that if the Selectboard decides that: 1) it wants to have an array on the landfill, 2) the terms are acceptable, or, it negotiates for better terms, 3) the financial return (max \$5,000 per year) is worth it, 4) it has no other questions for the UEC and 5) any legal issues are answered to the satisfaction of the town's attorney then the Selectboard should sign an option letter with their preferred provider.

In addition the UEC suggests that GLG and/or other interested provider attends a future Selectboard meeting to answer any unresolved questions and discuss terms.

Karen McKnight relayed that the UCC was working on a Management Plan for the Crane Brook Conservation District (CBCD).

Consensus of the Selectboard is that the decision ought to be based on input from a greater number of participants than have currently expressed interest. UCC to undertake historical research to identify any existing restrictions and support a table and survey at Town Meeting. Survey to be a collaborative effort of the UEC and UCC.

Peter Bennett to contact GLG with updates.

By consensus the Selectboard adjusted the agenda to discuss the agenda items that had interested parties in attendance.

7:45 p.m. New Business

Australian Ballot Items. Moderator Bill Wilson and Dan Manz met with the Selectboard to discuss ballot items and process. Dan Manz reviewed outcomes from Moderator training he attended last week. Consensus of Selectboard is that Dan Manz and Pat Sabalis would schedule a conference call with personnel from the Secretary of State's office and report back.

8:22 p.m. Old Business

Stormwater Master Plan. Staff briefed current status of Stormwater Master Plan: site visits scheduled for February 20. Consultants will be presenting to Selectboard in March or April.

Boring at Corbett and North Underhill Station Roads. Kurt Johnson reported back on his tasking from the January 23 meeting. His follow up conversations with Project Engineer Cricket McCusker and Mike's Boring & Coring, LLC would have a single boring performed at each site for less than \$3,050 and that it would be appropriate for preliminary engineering.

Kurt Johnson moved that the Town of Underhill contract with Mike's Boring & Coring of East Barre, Vermont for boring samples at Corbett Road and North Underhill Station Road for an amount not to exceed \$3,050. Rick Heh seconded and the motion passed 3-0.

8:29 p.m. New Business (con't)

Town Land Contract (Ripley/MU037). Selectboard reviewed application for Parker and Clara Ripley to renew a Town Land Contract.

Rick Heh move to approve the Land Contract as submitted. Kurt Johnson seconded and the motion passed 3-0. Chair signed the contract. Staff to submit to Town Clerk for recording.

Commercial sap haulers. Kurt Johnson passed on discussion about commercial sap hauling impacts on gravel roads during mud season. Discussion occurred at the Highway Infrastructure and Equipment Committee meeting the previous night. Depending on source and destination of sap it was either agricultural or commercial traffic. Only the former is exempt from weight limits. Staff to provide additional information

8:39 p.m. Warrants and Minutes. By consensus the Board reviewed and signed current warrants. Selectboard to ask for additional information on highway repair invoices.

Rick Heh moved to approve the minutes of the January 23, 2018 Special Meeting of the Selectboard. Kurt Johnson seconded and the motion passed 2-0-1, Pat Sabalis abstaining.

Rick Heh moved to approve the minutes of the January 30, 2018 Regular Meeting of the Selectboard with additional clarification in the Public Comment section. Pat Sabalis seconded and the motion passed 2-0-1, Kurt Johnson abstaining.

8:49 p.m. Member Items, Correspondence, Announcements, Schedule. Notice made that the next Regular Selectboard date is February 27, 2018, preceded by a 5:30 Public Information Hearing on the Town Meeting ballot items.

Correspondence. Selectboard acknowledged receipt of.

- Abutter notification from Planning Director of proposed subdivision at 318 Irish Settlement Road (IS318). DRB meeting scheduled for February 26, 2018.
- Memorandum from Planning Director of the Underhill Planning Commission's nomination of Lea Van Winkle to fill the remainder of a term set to expire March 2021.
- Budget Status Report, dated 02/08/18. Items at over 60% expended were identified as maybe needing closer scrutiny over the remainder of the fiscal year.

8:52 p.m. Executive Sessions.

At 8:52 p.m. Selectboard wanted to discuss information received from town representatives related to Downes Road Tree Cutting and draft easements associated with the Tomasi Subdivision.

Chair moved that the Selectboard find that premature general public knowledge of pending or probable civil litigation involving the Town would clearly place the Town at a substantial disadvantage. Kurt Johnson seconded and the motion passed 3-0.

Chair moved that the Selectboard enter Executive Session to discuss pending or probable civil litigation that the Town is a party to under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes. Kurt Johnson seconded and the motion passed 3-0.

At 9:27 p.m. the Chair moved to exit Executive Session. Kurt Johnson and the motion passed 3-0.

Action taken as a result of Executive Session:

- Regarding tree cutting on Downes Road, the Selectboard has accepted the recommendation of the Town's insurer.
- Regarding the Tomasi draft easements, there will be further discussion with the grantor's attorney.

9:28p.m. Adjournment. On a motion made by Rick Heh and seconded by Kurt Johnson the Selectboard unanimously voted to adjourn.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended


 Rick Heh, Chair

2-27-18
 Date