

TOWN OF UNDERHILL
SPECIAL SELECTBOARD MEETING AGENDA
Underhill Town Hall – [Remote Meeting](#)
Friday May 8, 2020, 1:00 p.m.

Selectboard: Dan Steinbauer, Bob Stone, Peter Duval

Town Staff: Brad Holden

Public: MMCTV, Peter Bennett, Rick Heh, Steve Webster, Pat Sabalis, Kurt Johnson, Nancy Alexander

1:06 p.m. Call Selectboard Meeting to Order/Adjustments to Agenda

Dan Steinbauer, Selectboard Chair brings special remote meeting to order at 1:06pm. The link is available on the Underhill town website.

1:07 p.m. Public Comment Period

Pat Sabalis comments that last October, the town of Underhill entered into a contractual land lease agreement with Underhill GLC Solar LLC. All parties signed this agreement. Pat asks that the selectboard move forward on the easement for Green Mountain Power.

1:10pm Adjustments to Agenda: Brief Into Class 4 (Butler Road) Release Form (this will be on the agenda in future meetings), Isish Settlement Road,

Rick Heh: Group to review candidates for Town Admin position in Executive Session

1:14 p.m. Review and approve Green Mountain Power Overhead Utility Easement to Solar Array and approve 1061 Public Notice with a provision to allow GMP to commence work.

- **Motion #1:** I move to approve the form of an easement from the Town of Underhill to GMPC, subject any non-substantive changes that town attorneys may recommend, for access to Beartown Rd. Gravel Pit and to install facilities within an easement area that shall facilitate connection of the Green Lantern Solar Installation to Green GMP electric distribution system.
- Bob Stone seconds the motion.
- **Discussion:**
- Brad sent out revised easement: "Perpetuity" was removed. Town has flexibility to remove or keep the easement after decommissioning with Green Lantern.
- Peter Duval advocates for the requirement that utility equipment be removed as well when decommissioned. Peter also refers to the site plan and mentions that the line is very long and could inhibit use of the parcel. To this point, Bob mentions that it was deliberate placing of the powerline so that the town could access gravel in the case of an emergency. Peter suggests shorter plan for powerline through the site.
- Calling the question to return the motion for vote: Dan Steinbauer Yes, Bob Stone: Yes, Peter Duval: No.

- Approve the Motion: Dan Steinbauer Yes, Bob Stone: Yes, Peter Duval: No. Motion has carried 2-1.
- **Motion 2:** I move to give notice of the proposed conveyance of an easement to GMP pursuant to that meets or exceeds requirements of statute, posted on town website.
- Bob Stone seconds motion.
- **Discussion:** We will post proposed conveyance on easement, notice to the public. No further discussion.
- Approval of Motion #2 passes unanimously 3-0.
- **Motion #3:** I move that consistent with Section 5b of the Land Lease Agreement between the Town of Underhill GLC Solar LLC Green Lantern which requires the town to use reasonable efforts to assist Green Lantern in acquiring the necessary utility services for the solar array project located at the Town Gravel Pit, 97 Beartown Road. I move to authorize Green Mountain Power Corporation, by express permission of the selectboard, to enter the Gravel Pit property by vehicle or on foot to make reasonable use of the existing access drive of Beartown Road and to undertake such make-ready and other work as is reasonable and necessary to interconnect the solar array project with GMP's electric distribution system. Including, without limitation, erecting placing or constructing cables wires, holes and other facilities or equipment on the Gravel Pit property to service the solar array and undertaking necessary clearing of trees, brush or vegetation to reasonably allow such interconnection work to proceed. GMP shall coordinate its work with at all times cooperate with the town's Road foreman and prior to commencing work shall provide the town with Certificate of Insurance, naming the town as an additional insured, for any casualty, property damage, personal injury, or death, that may occur in connection with GMP's work in the Gravel Pit or other lands owned or controlled by the town, including the town highway right of way.
- Bob Stone seconds.
- **Discussion:** Peter asks if this is retroactive to the work already underway? Brad mentions that consent for GMP to get started, between Town and GMP in reference to lease agreement with GL. Patricia Sabalis mentions that there will be a 1061 notice, 30 day period until it expires, so this motion is for GMP to start preliminary work. Peter Duval mentions that the right-of-way has been cleared. Pat and Brad respond that the right-of-way was not cleared by GMP.
- All in favor of Motion #3 passes unanimously 3 to 0.
- **Contract:** Bob Stone motions to authorize Chair of the Selectboard, Dan Steinbauer, to sign the contract. Dan Steinbauer seconds. No discussion. All in favor, passes unanimously 3 to 0.

1:30 p.m. Approve Minutes from April 23, 2020 Regular Selectboard Meeting.

Peter moves to approve minutes with changes, Dan seconds.

Correction on passed Motion #3, GLG Solar to GLC Solar.

Minutes approved 3-0.

1:35 p.m. Planning Commission and Energy Committee Reappointments.

The selectboard considers reappointments for the Planning Commission and Energy Committee.

Dan Steinbauer moves to make reappointments as follows:

John Drew	Planning Commission	Exp. 3/2024
Val Story	Planning Commission	Exp. 3/2024
Nicole Brassa	Energy Committee	Exp. 3/2023
Dwight Cosner	Energy Committee	Exp. 3/2023
Michael Ahmand	Energy Committee	Exp. 3/2023

Bob Stone motions to approve, Dan Steinbauer seconds. Reappointments are approved 3-0.

1:45 p.m. Roaring Brook Flooding Issues Update – Brad Holden

Brad Holden attended a meeting today at 11am with Stacy Pomeroy, Stephanie Smith, Sandra Bean with various other state officials regarding VT Emergency Management is looking to do a flood study of the Roaring Brook. They may potentially hire local engineering firm for that study. Grant application will be likely in November. Brad Holden is going to review buyout application for #12 Dumas and gather information for grant application. Similar study in Jeffersonville was more extensive and was around \$30,000. Other information may be available from FEMA for 2011 mapping as well as recent elevation data. After getting the grant, 20% would need to come from elsewhere.

1:52pm Irish Settlement Project

Project availability to start right after Memorial Day. Kurt Johnson confirms they can get started the last week of May. Bob Stone agrees but is concerned with revenue stream coming in. Dan Steinbauer reminds that this project not affect budget this year or next, as it is part of loan approved by the town as an article. Loan payment due June 2022. Bob Stone is concerned if given the current climate, the town should start this loan. Peter Duval reminds that protocols for Covid-19 safety should be well observed by contractors/vendors following guidelines such as face coverings and distance. Preliminary affirmative and see where the pandemic is at the end of the month.

1:58pm Class 4 Road Butler Road

Hearings and warned items to follow: Kurt had conversation with Cody Marsh selectboard in Cambridge about their County Farm Road. All correspondence should be directed to the town administrator.

2:03 Class 4 Release Form

Kurt Johnson mentions new Class 4 Release Form Pat Sabalis had the revised by the attorney. The revised form focuses on improvement of Class 4 Roads using gravel. Kurt Johnson will forward the revised Class 4 Release Form form to the selectboard and Brad Holden for review and Dan Steinbauer will add to the next agenda. Kurt Johnson will send to landowners ahead of time for review.

2:07 p.m. Executive Session Begins

2:30 p.m. Adjourn Selectboard Meeting (Tentative)


Dan Steinbawer, Chair
7/14/2020

6/2/2020 Approved