

TOWN OF UNDERHILL
SELECTBOARD REGULAR MEETING MINUTES
Underhill Town Hall – Remote Meeting
Thursday, July 23, 2020, 6:00 p.m.

Selectboard: Dan Steinbauer, Bob Stone, Peter Duval

Town Staff: Brad Holden, Jim Beebe-Woodard, Sherri Morin, Jennifer Silpe-Katz, Pat Sabalis, Laurie Graham

Committee Members: Kurt Johnson

Public: MMCTV, Sandra Gillim, Rachel Becker, Glenn Martin, Nicole Thompson, Lori Adams, Bridget Stone Allard, Penny Miller, Mike Smith, Stephen Blay, Peter Danforth, Martha Erickson, Rick Heh, Peter Bennett, Susan Thomas

6:00 p.m. Call Selectboard Meeting to Order Dan Steinbauer calls the remote meeting to order. This meeting is recorded by and is available through MMCTV.

Dan Steinbauer introduces formalizing the adjournment of the Special Selectboard Meeting of Tuesday, July 21, 2020. As noted in the minutes, no action was taken during the executive session. Bob Stone moves to adjourn Tuesday's meeting and Dan Steinbauer seconds. Peter Duval discusses and objects, stating that the order of the meeting was lost because the Executive Session was entered and ended improperly without the full selectboard in it and was missing member Peter Duval. Dan Steinbauer discusses that the Executive Session was due to Peter Duval's litigation with the town and to gain information from the legal council. Peter Duval replies that there is no suit and the town is actively appealing a DRB decision and notes it is a problem that the selectboard does not know that the town attorney is doing this. Peter Duval does not believe it needs to be in executive session and continues by saying the exclusion of a member of the selectboard is a problem, conflict of interest is controlled by the person with the conflict, and, suggests reviewing the previously-noted defective conflict of interest policy, the oath, and suggests more regular meetings and less special meetings. Tuesday's meeting is adjourned by a vote of 2-0, Peter Duval abstaining.

6:01 p.m. Adjustments to Agenda: Jim Beebe-Woodard moves Rick Heh's VAC Cultural Facilities Grant proposal from New Business section to 7:45pm. Dan Steinbauer adds a discussion from Jim Beebe-Woodard about Remote Meeting Capability to New Business.

6:02 p.m. Public Comment None

6:05 p.m. Racial Justice

Bridget Stone Allard appreciates the Selectboard's time and commitment to this topic. Bridget Stone Allard presents a proposal plan developed around holding space and leading into the conversation more. The group hopes for a motion for meaningful, educational and service opportunities for youth. Engage students in real, community focused time. Teachers are searching for opportunities to help youth in our predominantly white state/towns make sense of racism and injustice. Hands-on proposal timely and necessary. Youth can educate others in the community. This proposal is for a motion made by the Selectboard to form an ad hoc committee aimed at recommending ways to educate/inform Underhill citizens on racial issues- including, perhaps, a reapportionment of the police budget to support this effort. Bridge Stone Allard discusses people of color in

Underhill history, has spoken with teachers at Browns River and has reached out to Mount Mansfield. Hoping the committee could draft a public statement to be published in the Mountain Gazette and town website condemning police brutality and asserting commitment to racial justice.

- Nicole Thompson, the librarian and National History Day coordinator at Browns River Middle School discusses that Browns River has a strong history program and two students qualified for nationals for the National History Day competition this year. She looks forward to working with Bridget Stone Allard and encouraging students to explore the historical impact of people of color in our community and fully supports this project.
- Penny Miller asks if this proposal is something the public will be aware of when the Selectboard adopts it. Suggests that it is not just the students, but everyone in the community appreciating this learning opportunity. Bridget Stone Allard replies that this proposal can be open to the public to work with elders and scholars.
- Sandy Gillim, past Assistant Principal at Browns River Middle School was aware of racism when she was there, does not know what the current situation is now. Supports Bridget Stone Allard's proposal. Asks what the proposal needs from the town, whether monetary or a statement. Dan Steinbauer replies by suggesting adding it in its entirety to a future agenda and moving toward a committee.
- Rachel Becker supports the proposal to address diversity and educate Underhill residents. There is a long way to go to address biased mindsets and is interested in own growth in the area.
- Lori Adams & Mike Smith support Bridget Stone Allard's proposal and would like to be on the ad hoc committee. Lori Adam has experienced racism in the south and is sad to have come across examples of racism in Underhill.
- Peter Danforth supports Bridget Stone Allard's proposal, and had a conversation with Bob Stone about the police budget and why it has to be raised and go to the police department at that level. He asks to consider some funds from the police budget towards Bridget Stone Allard's proposal. Familiarity with police brutality and racism and Peter Danforth's son is a person of color. Time is now to show appreciation for what is going on in the world, even if it is not occurring to such a degree here in Underhill. Show integrity to be proactive with the education program supported by the town on some level, monetarily. Peter Danforth supports a discussion dedicated to this proposal. Is also supportive of the police force in Underhill and would like to see an agreement made.
- Steve Guay is concerned about how this proposal might be done. He has lived in town for many years and has not noticed any racism in the area. Steve Guay has been called a racist for voting for Donald Trump and states Donald Trump is not a racist. Steve Guay thinks it is good to have education about racism and wonders if the Black Lives Matter organization is involved as he has heard the organizers of this group are trained Marxist, committed to overthrowing Donald Trump's presidency, with no tax exempt status. Steve Guay does not why are towns disenfranchising a population of the town by choosing one party over the other. Steven Guay mentions Black Lives Matter flag flying at public school as they donate their efforts to democratic party, they do not belong on the school flagpole. Steve Guay would like to preserve the rights of all citizens in the town, noting its rich history in the civil war, and would like a balanced approach to defeating racism. Steve Guay asks if Black Lives Matter is going to be involved in this proposal.
- Shirley Adams responds by mentioning that Black Lives Matter was never mentioned in the proposal.

Dan Steinbauer notes that this discussion will continue to come to a positive resolution for our town.

6:35 p.m. COVID-19 Update

Peter Duval mentions that there is growing evidence about indoor, recirculating air moving the virus around is concerned by the open floor plan of the Town Office. Discusses that there needs to be just one person in the office until isolated spaces can be created. Peter Duval asks about masks and buff stockpiling to Brad Holden, continuing conversation with Jim Beebe-Woodard. Brad Holden has not found funding for masks, PPE and hand sanitizer, but believes the town should continue to pursue it.

Sherri Morin has 500 masks, 2.5 gallons of hand sanitizer, given by the state for election. Sherri Morrin responds that the office still allows only one person in the office, for no more than 2 hours, and they sanitize when they leave. They have not deviated from the original Town Hall plan. Peter Duval is concerned by everyone in the office getting sick at once if one person becomes infected. Sherri Morrin responds with plans to meet with experts on PPE procurement, policy and implementation of safe COVID-19 guidelines and practices. Jim Beebe-Woodard has been impressed with the compliance and adherence to marks, handwashing and distancing. Brad Holden mentions there may be federal funding of PPE grant money to help with these efforts.

6:45 p.m. Old Business: Roaring Brook Flood issues/12 Dumas Road FEMA Buyout, Sheriff's 2021 Contract, Loan

Roaring Brook Brad Holden has been in contact with Lauren Klonsky, CDM Smith consultant working on the Lamoille River Watershed Study. He has asked for extra study and detail on the Roaring Brook area and will share with them photos and knowledge we have. Brad Holden has continued to work on the boundary of Patricia Gray's lot which is critical to the buyout application that is due in November. Peter Duval mentions and sends a study from the First Street Foundation. Brad Holden discusses stormwater runoff and development contributing to the flooding in our streams.

Sheriff's 2021 Contract Bob Stone spoke with Pat Sabalis regarding the contract, Route 15 and how it relates to the Town Ordinance. Dan Steinbauer discusses that the Sheriffs were hired in the last 10-12 years due to the heightened concern about speeders and notes a Traffic Committee and is interested in seeing data from these years, notes that there are more warnings than citations. Discussion continues about the possibility of having this discussion in the future with the Sheriff or representative present. Peter Duval discusses research on enforcement not being one of the recommended methods of controlling speed and suggests looking at what is most effective first. Bob Stone notes that the sheriffs have only been present for 3-6 hours per week, when surrounding towns are doing 20+ hours per week. Bob Stone welcomes feedback on alternatives to having law enforcement officers patrolling the roads. Bridge Stone Allard is curious about data and notes the Pleasant Valley Road study showing the range of speeds of travel, and also asks about the doubling of the budget. Bob Stone replies that the doubling of the budget is because it is going from 3-6 hours per week to 12 hours per week to meet the presence of the surrounding towns. Sandy Gillem discusses speeding on Poker Hill Road and is in support of looking at more data about traffic calming devices that may be helpful. Dan Steinbauer notes that discussion on this topic will continue.

Town Loan Discussion Dan Steinbauer introduces this item as an action item to be decided on tonight in preparation for the Corbett Bridge project. Peter Duval questions terms of the loan and rates, explanation of

how the rate was set, why only one vendor was presented for the bank loan, and notes he was expecting to see loan options from a range of comparable loans for a competitive deal and believes tax exempt bond banks may be competitive. Sherri Morrin had solicited other banks and TDBank and Community Bank declined, Mascoma Savings Bank had a variable rate and Union Bank offered the loan that was presented. Kurt Johnson had seen the bid from Mascoma Savings Bank and after discussion went with Union Bank because Union Bank allows renegotiation after 6 years. Most commercial loans for municipalities work this way. Sherri Morrin asks to confirm the loan before the Corbett Road project begins. Peter Duval moves to table loan discussion for the next regular meeting. Dan Steinbauer replies there was no motion on the floor, and tabeling this conversation does not need a motion. Discussion continues that the article passed on Town Meeting Day by the residents of Underhill. Bob Stone feels confident in the information received and going through with the Union Bank \$500,000 loan. Dan Steinbauer discusses that in the last Selectboard special meeting, the caution was not where the loan is from, but how much to take the loan for, the voters passed the article on Town Meeting Day. Peter Duval would like to see what the actual contract is, and is not convinced about minimum borrowing over the full amount. Sherri Morrin responds when they borrow again, they can combine the two loans and refinance for a better rate. Peter Duval discusses the cash flow plan and will send Sherri Morrin an email detailing questions. Loan discussion will continue and be finalized at the August 4 Selectboard Meeting.

7:05 p.m. New Business: Corbett Road bridge project contract, 2021-2022 Tax Rates, Jim Beebe-Woodard Remote Meeting Capability

Corbett Road Bridge Project Pat Sabalis looked over the contract and drafted a contract for the Corbett Rd bridge project, Pat Sabalis is recommending that the attorney Stitzel Page & Fletcher look over the project contract. Dan Steinbauer moves to have the attorney look at the contract. Bob Stone seconds. Motion is passed by a vote of 3-0. Pat Sabalis will send the contract to the attorney.

Kurt Johnson needs a signed contract by August 3 to avoid delaying the start of the project, and this date falls before the next Selectboard meeting. The Corbett Road Contract will be discussed at the future Special Meeting of the Selectboard. Brad Holden believes the Wetland Permit states no work can begin before August 11, Kurt Johnson will double check this date and compare with the start date of the project.

2021-2022 Tax Rates Sherri Morrin introduces the tax rate spreadsheet and the current proposed municipal rate is 0.5007 and the local agreement rate is 0.0217. Municipal rate is up .0243 and local agreement is up .0012, very slight increase in local agreement. The education rate went up slightly at one-tenth of a penny and the non-residential rate went up almost 10 cents. Homestead will be, with local and education, 2.0499 and non-residential 2.2124. The greatest increase is for non-residents. Bob Stone makes a motion to set the municipal rate at 0.5007 and the local agreement at 0.0217. Dan Steinbauer seconds. Motion is passed by a vote of 3-0.

Remote Meeting Capability- Jim Beebe-Woodard discusses remote executive sessions. When exiting a public remote meeting platform, we have been terminating the public meeting and opening a new meeting for the Executive Session. Jime Beebe-Woodard notes not terminating the public meeting that is happening, and staying within the public meeting until everyone logs off, and re-enter public meeting space when the Executive Session is completed.

7:35 p.m. Warrants and Minutes: Review/Approve current Warrants and the Selectboard minutes from the July 2nd Special meeting and July 7th Regular Meeting.

Bob Stone motions to approve minutes for July 2, 2020 Special Meeting of the Selectboard, Peter Duval seconds. Discussion ensues at Peter Duval mentions included the presented Powerpoint and video for internet archives from MNCTV and is hoping to get recording to them for public viewing; Jim Beebe-Woodard will look into this. The minutes are approved by a vote of 3-0.

Bob Stone motions to approve minutes for July 7, 2020 Regular Meeting of the Selectboard with revisions, Bob Stone seconds. Discussion about revisions include Tatro Construction spelling and committee members correction. The revised minutes are approved by a vote of 3-0.

Bob Stone motions to approve the warrants. Peter Duval seconds. No discussion. Warrants are approved as presented by a vote of 3-0.

7:45 p.m. Member Items, Correspondence, Announcements, Schedule, The next regularly scheduled Selectboard meeting will be Tuesday, August 4, 2020 at 4:00 p.m.

A letter was received from Jeff and Nancy Alexander of Beartown Road that was brought to the Selectboard previously last year and in February. Jim Beebe-Woodard spoke with Pat Sabalis and it seemed the letter and items had not been circled back to. Bob Stone notes that he spoke with Jeff Alexander and asked that the letter be dropped off at the Town Hall. The primary concern of the letter is that the town's property is 20ft from their garage and the possible depreciation of value, future expansion and access roads. Bob Stone would like to move on this at the next meeting and invite Alexander's to discuss the letter. Peter Duval asks about setbacks and changes in boundary lines.

During the discussion about the Alexander's letter, Peter Duval mentions correspondence and packets in the form of remote meeting and asks how the public can review the packets. Discussion continues about documents that look like they are addressed to the selectboard but never made it to the selectboard meeting; how often does it happen and what regular process is a check where the Selectboard can look at the accumulated correspondence. Google had a product vault for governments but Peter Duval has not seen it recently.

7:50pm New Business Continued: Rick Heh's VAC Cultural Facilities Grant Proposal

Rick Heh shares background on the Vermont Arts Council Cultural Facilities Grant proposal. Since 2017, the Selectboard recognized the need to do maintenance and upgrade to the town hall large meeting hall. The Historical Society was asked to review maintenance and upgrade plans to the town hall. In 2018, a few individuals from various committees and expertise began to consider renovations. This grant opportunity specifically notes improvements to wiring, heating, plumbing. Discussion ensues about the 20 year old boiler in the Town Hall and buried oil tank. Peter Bennett speaks on the plan to install propane at the same cost rate Jack Corse offers the Town Garage and has found they could save about \$750 in heating cost. Continuing discussion about pros and cons of the heating. Susan Thomas discusses the art grant for restoring the Town Hall for performance space as well as community meeting space and feels it is appropriate for this project. An extensive

discussion ensues about spending art money on this project, upgrading this historic building and space, outside of the heating system. Bob Stone calls a point of order and asks for the grant deadline. The deadline to apply for the Vermont Arts Council Cultural Facilities Grant is Monday, July 27th. Peter Duval states this is an annual process and would like to continue discussion for next year's deadline, notes reliance on fossil fuel. Bob Stone says he is not ready to vote on this. Peter Bennett asks, outside of the grant, does the selectboard believe there is a concern with the heating system: tank and distribution of heat. Continued discussion about heating inefficiencies in the Town Hall, grant parameters, storage issues of the Town Hall, building inspections, boiler inspections. Jim Beebe-Woodard appreciates the work of this group and acknowledges the town's need to continue to foster interest and inclusion and would like to work with all to continue to help with committees and commissions with the town.

8:57 p.m. Bridget Stone-Allard asks when to address the proposal brought to the table and next steps for the group. Dan Steinbauer would like to continue this discussion by putting it on the agenda for next month's Thursday night meeting. Jim Beebe-Woodard offers his role to help to merge work between the selectboard and Bridget Stone Allard's proposal group. Dan Steinbauer requests a written proposal given to Jim Beebe-Woodard.

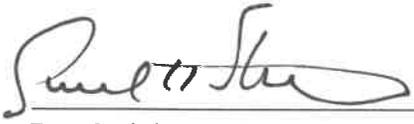
9:01 p.m. Executive Session Bob Stone motions to enter an executive session to discuss personnel issue per Title 1 V.S.A. § 313. Peter Duval seconds. The motion passes 3-0 and the executive session begins.

9:23pm Exit Executive Session Action taken: Bob Stone will talk to Dean Haller about personnel issue.

9:25 p.m. Adjournment Bob Stone moves to adjourn. Peter Duval seconds. Meeting is adjourned by a vote of 3-0.

Submitted by Laurie Graham, Record Keeper.

Read and approved as submitted/amended:



Dan Steinbauer, Chair

8/5/2020

Date Signed

8/4/2020

Date Approved