

**Town of Underhill
Selectboard Regular Meeting Minutes
Underhill Town Hall
Online Remote Meeting
Tuesday, May 5, 2020 @ 4:00 PM**

Selectboard: Dan Steinbauer, Bob Stone and Peter Duval

Town Staff: Brad Holden

Public: Cassandra Bean (10 Dumas Road), Angelike Contis (MMCTV)

4:00 p.m. Call to order, adjustments to agenda.

Meeting called to order by Selectboard Chair, Dan Steinbauer (hereafter Chair Steinbauer). Chair Steinbauer provided an overview of the evening's procedure as it relates to the COVID-19 virus and the Go-To-Meeting platform. Roll-call attendance and introductions were taken and provided. Selectboard Member Duval (hereafter Board Member Duval) recommended removing the following agenda items from the agenda since he did not have the opportunity to review the associated documentation: review and approval of the April 23, 2020 minutes and the discussion relating to the approval of the GMP Utility Line easement – Beartown Road Solar Project. Selectboard Member Stone (hereafter Board Member Stone) agreed and recommended scheduling a special meeting for a later date. General discussion ensued about scheduling agenda items. Board Member Duval informed the Board about having substantial concerns about the easement. No adjustments to the agenda were proposed or made.

4:10 pm. Public Comment Period.

No members of the public were in attendance to offer public comment.

4:11 p.m. COVID-19 Update/Town Staff.

Interim Town Administrator, Brad Holden (hereafter Staff Member Holden) informed the Selectboard of the new guidelines distributed by VTrans relating to VTrans funded project, as well as the newly required training standards supplied by VOSHA. Those were distributed to the Town's Road Crew. The Road Crew is anticipated to visit Town Hall and watch the VOSHA videos about disinfecting equipment in the future. Staff Member Holden provided the Selectboard an update about the procedures at Town Hall as it relates to the COVID-19 virus. He then provided an update about concerns pertaining to the Town Garage, which were vocalized at the previous Selectboard meeting. Discussion about facemasks for the Town's Road Crew ensued. Road Foreman, Nate Sullivan is expected to have all of the public gravel roads graded by mid-May. Board Member Duval inquired about the Town's offices, specifically: whether the kitchen at the Town Offices is closed, the availability of thermometers, and whether the space is being treated as a shared space. Board Member Stone asked if VOSHA standards applies to the Staff at the Town Hall rather than just the Town's Road Crew.

4:21 p.m. Town Administrator Position

Twenty-four applications have been submitted for the Town Administrator vacancy. Former Selectboard members volunteered to form a search group for the purposes of recommending viable candidates to the Selectboard. The Selectboard agreed that there was no rush to fill the position to ensure that a viable candidate is hired, especially due to delays caused by the COVID-19 virus and Brad Holden's willingness to serve as Interim Town Administrator for the short term. Staff Member Holden advised that the search group has met, and intends to reach out to former Town Administrator, Brian Bigelow, and the recently hired Town Administrator in Cambridge, Marguerite Glad, to obtain feedback. Board Member Duval inquired if the applications materials are public,

whether the members on the search group were designated by the Selectboard, and whether the group is subject to the open meeting law. Staff Member Holden confirmed that the application materials are confidential, members on the search group already were designated by the Selectboard in early March, and that the group is not subject to the open meeting laws.

Board Member Stone informed the Selectboard that he received a cover letter and resume after the Sunday, April 26, 2020 deadline, and inquired if the Board would entertain the submission of the additional application for the position. Board Member Stone will consult with Town Clerk, Sherri Morin on whether the application is admissible into the application pool. Staff Member Holden informed the Selectboard that the Vermont League of Cities and Town in actuality has a deadline of Monday, April 27, 2020 since the Town set the deadline for Sunday, April 26, 2020. Board Member Duval vocalized his concern of accepting new applications and not seeing the new applications should they be submitted. Staff Member Holden was unable to provide an estimated date for hiring a new Town Administrator due to the circumstances surrounding the COVID-19 virus. Under normal circumstances, hiring a new employee typically takes one month. Chair Steinbauer suggested that mid-June may be cause for "anxiety" should someone not be hired by then.

4:39 p.m. New Business – Review/Approve 2020 Local Emergency Management Plan. Board Member Stone opined that the Local Emergency Management Plan was fine with room to improve the equipment section of the plan. Staff Member Holden informed the Board that the equipment section of the plan was FEMA based. He also advised that he updated the school contacts within the Plan. Chair Steinbauer recommended adding Deborah Moore's, the Town's Deputy Health Office, contact information to the plan. Further discussion ensued about the equipment section of the plan. Board Member Stone made a motion to approve the Local Emergency Management Plan conditioned on adding Deborah Moore, the Town's Deputy Health Office, to the Plan, as well as ensuring that the Town's plow truck is classified correctly. Chair Steinbauer seconded the motion. Discussion about the motion ensued. Board Member Duval opined that the deputy health commissioner title informs users that there is health officer. He then suggested that the document contained terminology that did not seem standard, asked whether the terms were defined anywhere, and inquired about those positions' authority. Staff Member Holden and Board Member Stone provided further clarity, advised that the terminology was developed by the State and defined by the Town in the document. The motion as approved unanimously – 3 to 0.

4:49 p.m. New Business – Review/Approve 2020 Town Land Contracts. Chair Steinbauer asked a procedural question in regards to anticipated motion relating to Land Contracts. Staff Member Holden informed the Selectboard that each parcel was vetted by Planning & Zoning Administration, Andrew Strniste, and Assessing Clerk, Amanda Bosley, to ensure that they qualified for the program. Those that qualified this year were renewals. Board Member Stone made a motion to approve all of the Underhill tax stabilization agreements received in the packet provided. Chair Steinbauer seconded the motion. Discussion ensued with Board Member Stone confirming that the agreements are ten years long and that the Selectboard entertains expiring contracts and potential new contracts on an annual basis. Added to the motion was language authorizing the Selectboard Chair to signed the tax stabilization agreements. Board Member Duval inquired about land enclosures as an act of development. Discussion ensued about what qualifies as development, the intent of the tax stabilization agreements, and the implications of breaking the contract. The Board then discussed differences between the Town's Land Contracts and the State's Current Use Program. Board Member Duval suggested exploring the possibility of adding incentives into the Land Contract for the non-postings of land. The motion was approved unanimously – 3-0.

5:00 p.m. New Business – Approve/Sign GMP Utility Line Easement – Beartown Road Solar Project.

Chair Steinbauer reminded the Board that they agreed earlier to postpone the approval and signing of the Green Mountain Power utility line easement. A date for scheduling a special meeting would be discussed at the end of meeting.

5:00 p.m. New Business – Fire Warden Radio.

Board Member Stone informed the Board that the Town contains various “dead spots” that inhibit radio transmissions. After determining that the old radios previously used for the Town trucks could not be repurposed, he confirmed with Jennifer Slipe, the Town’s Financial Officer, that there was money in the Selectboard’s budget for this fiscal year to purchase a radio for the Fire Warden, Parker Ripley, allowing him radio connectivity almost in all areas in Town. A pricing quote from Burlington Communications was obtained, which was around \$1,300. Board Member Stone made a motion to acquire a radio for Parker Ripley to install in his vehicle, not to exceed \$1,311.50, and that that value would come from the Selectboard’s budget. Chair Steinbauer seconded the motion. Board Member Duval asked if radio connectivity has been an issue in the past. Board Member Stone confirmed that it has been a problem. Board Member Duval inquired if the new radio will work in these “dead spot” areas, which Board Member Stone confirmed that the radio is expected too, as the radio will be of similar quality as those used by the Underhill-Jericho Fire Department, which works in those areas. The motion was approved unanimously – 3-0.

5:07 p.m. Old Business – 10 Dumas Road/Meadow Lane.

Kassandra Bean, 10 Dumas Road, was before the Selectboard to vocalize her frustrations about the process, or lack thereof, in addressing the flooding issues concerning Dumas Road and Meadow Lane. She informed the Board that she was excluded from all recent correspondence involving the Dumas Road/Meadow Lane flooding issues, as well as frustrated that the studies/projects seemingly stalled. She informed the Board that she thinks the actions rise to the level of willful neglect, and opined that previous the Town Administrator and a previous Selectboard Member never intended the project to commence or gain traction. Ms. Bean then advised the Selectboard that she did not know how else to proceed. Staff Member Holden informed Ms. Bean that with his experience as a licensed surveyor and successful applicant of a buyout in Underhill, given the time, he would review the application and project. Ms. Bean informed the Selectboard why she was concerned about the buyout application and asked the Town to take action for the residents that have requested action for years regarding the flooding issues. Board Member Stone recommended that this item stay on the agenda as old business for the indefinite future in order to get regular updates going forward and ensure that the issues are being addressed. Ms. Bean restated her discontent with how the project has progressed.

Board Member Duval recommended hiring a portal service using the Selectboard’s budget specifically for minute-taking, thereby freeing up Staff Member Holden’s schedule to focus on other tasks – this one included. Chair Steinbauer opined that if money were to be spent, he’d recommend commissioning Mr. Holden or another surveyor to review this particular project. Staff Member Holden explained the previous buyout process, which pertained to Cilley Hill Road, as well as provided clarification about general FEMA procedures. Ms. Bean continued to provide background as it relates to her perspective of the current state of the project. Board Member Stone inquired with the other members of the Board if they would consider getting an assistant for Staff Member Holden to help with this particular matter. Staff Member Holden informed the Board that Board Member Duval’s suggestion of not having to write the minutes would be most advantageous, and would likely assist with the new Town Administrator upon being hired. Board Member Stone suggested performing research for the next Selectboard meeting regarding what minute-taking

options are available. Board Member Duval noted the conflict between the urgency of drafting the minutes at the same times as having to perform newly assigned tasks that resulted from the meeting; having a dedicated minute taker would improve efficiency. Chair Steinbauer agreed having a dedicated minute taker could be beneficial and would like to spend time during the next meeting to discuss further. Board Member Stone expressed his desire to attend the meeting involving Chittenden County Regional Planning Commission (CCRPC) on Friday, May 8, 2020.

5:40 p.m. Old Business – Underhill Flats Sidewalk Project.

Staff Member Holden informed the Selectboard that the bid documents were close to finalization, and provided an update about recent changes. The recommendation from CCRPC is to put the project out to bid with the caveat that should a delay due the COVID-19 pandemic occur, the completion date of the project would be the Fall of 2021. The project is anticipated to take six to eight months to complete. With a major project north of North Underhill Station Road along Route 15 occurring during 2021, VTrans is looking into any potential conflicts with the sidewalk project with that Route 15 project. If the bid documents were available sometime in the following two weeks, the Selectboard is amenable to putting the project out to bid. Board Member Stone expressed concerns about potential shortfalls in the State's budget come 2021, and expressed a desire to expedite the sidewalk project.

5:46 p.m. Sign MVP Health Care Plan Contract.

Staff Member Holden advised that the contract that was entered into with MVP needed to be signed. Board Member Stone made a motion authorizing Selectboard Chair Steinbauer to the MVP Health Insurance Contract that was submitted in the Selectboard's packet. The motion was seconded by Board Member Duval. The motion was approved unanimously – 3-0.

5:49 p.m. Warrants and Minutes: Review/Approve Current Warrants.

Chair Steinbauer noted the late-pay penalty pertaining to the People's United credit card, and opined that the Town should try to avoid them going forward. The Selectboard review the People's United credit card invoice. Board Member Duval noted that the payment to People's United does not match the total minimum payment due or the new balance figure. Board Member Stone noted that there was a fuel tax charge and asked for explanation. Staff Member Holden will review the People's United invoice and the fuel tax charge with Financial Officer, Jennifer Silpe. Board Member Duval asked about a large-sum transaction on the People's United credit card invoice, which was explained to be a parting gift for former Town Administrator, Brian Bigelow.

Board Member Stone made a motion to approve the warrants as presented. The motion was seconded by Board Member Duval. Further discussion ensued. Board Member Duval sought clarification that time taken off in accordance with the Family Leave Act resulting from the COVID-19 virus was formally declared on the time sheets. Financial Officer Silpe is keeping track of that specific time off. Board Member Duval inquired about how COVID-19 related time off is compensated and how the two-thirds (2/3) compensation figure applies, and to ensure that Staff is aware of potential ramifications should they be over- or under-compensated. Board Member Duval then inquired about an employee's travel expense reimbursement report and payment. He noted that those expenses were related to traveling to the Underhill Flats' post office, which he inquired as to why that post office was used instead of the Underhill Center post office. Chair Steinbauer explained that when the availability schedule at the Underhill Center post office changed, the Town moved its post office box to Underhill Flats. Board Member Duval then asked about the feasibility of having a mailbox at the Town Offices. Staff Member Holden provided an explanation of the mail-routine and the importance for retaining a post office box. Board Member Duval then inquired

about the Lincoln National Health Insurance statement. A short discussion about the Town's new laptop commenced. The motion was approved unanimously - 3-0.

6:10 p.m. Warrants and Minutes: Selectboard Minutes of the April 23rd Meeting.
Board Member Duval requested to delay the approval of the minutes, allowing him more time to review them.

6:12 p.m. Member Items, Correspondence, Announcements, Schedule.
Staff Member Holden informed the Selectboard that 24 hours-notice is required for a special meeting. Board Member Stone will send the aforementioned cover letter and resume to Board Members Steinbauer and Duval after the meeting. Grading of the roads was noted by Board Member Stone.

Scheduling of a Selectboard meeting to discuss the GMP Utility Line Easement was discussed. A meeting time of Friday, May 8, 2020 at 1:00 pm was established. Board Member Duval recommended adding Dumas Road to the agenda. In regard to the GMP Utility Line Easement, Board Member Duval expressed the following concerns: a large portion of the parcel will be encumbered (location of the easement), and that the power line easement is forever while the project is for a definite amount of time (length of the easement). Staff Member Holden advised that Road Foreman, Nate Sullivan approved of the location of the pole placements.

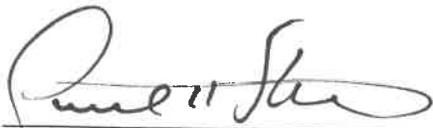
The next regularly scheduled Selectboard Meeting will be held on Thursday, May 21, 2020 at 6:00 p.m.

6:21 p.m. Executive Session.
An executive session to discuss a personnel matter and a personnel policy was requested by Board Member Stone. *Chair Steinbauer made a motion to enter into executive session to speak about an evaluation or a personnel issue under 1 V.S.A. § 313(a)(3).* The motion was seconded by Board Member Stone and approved unanimously - 3-0. The procedures for a remote executive session were discussed.

6:24 p.m. Adjourn to Executive Session.

Submitted by Andrew Strniste, Planning Director & Zoning Administrator

Read and Approved as submitted and/or amended



Dan Steinbauer, Chair

7/14/2020

5/21/2020 Approved

Date