

Georgia Selectboard Meeting
Monday, October 24, 2016
7:00 p.m.

Approved: November 14, 2016

Present: Selectboard: Chris Letourneau; Matt Crawford; Tara Wright; Ric Nye, Paul Jansen, Mike McCarthy, Town Administrator; Amber Baker, Treasurer

Absent: None

Public Present: Abby Ledoux, Milton Independent, Kent Henderson and Jeffrey Hathaway

Mike McCarthy added the following to the agenda.

1. Adding Check Warrant Report AP#73. Replace AP#72.

Review of Minutes:

Minutes of the September 26, 2016, regular meeting were reviewed and discussed. Motion made to approve the 9/26/16 regular meeting, as presented, made by Matt, second by Tara. No further discussion. All in favor

Minutes of the September 29, 2016, special meeting were reviewed and discussed. Motion made to approve the 9/29/16 regular meeting, as presented, made by Matt, second by Tara. No further discussion. All in favor

Review of Warrants:

Check Warrant Report PR #39 for period end 9/29/16; Check Warrant Report PR#40 for period end 10/6/16; Check Warrant Report AP #65 for payroll transfers to Citizens Bank, VMERS DB and VT Dept. of Taxes; Check Warrant Report AP #66 for a payroll transfer to Citizens Bank; and AP #69, for the general fund were all signed by the Chair of the Selectboard. For review only.

Motion to approve Check Warrant Report PR #41 for period end 10/13/16; Check Warrant Report PR #42 for period end 10/20/16; Check Warrant Report AP #70 for a payroll transfer to Citizens Bank; and Check Warrant Report AP #71 for a payroll transfer to Citizens Bank, made by Matt, second by Ric. No further discussion. All in favor.

Motion to approve Check Warrant Report AP #72, and Check Warrant Report AP #73, for the general fund, made by Ric, second by Matt. No further discussion. All in favor.

Selectboard Concerns:

1. Fire Department Minutes don't seem to be up to date on the website again. We need to comply with the Open Meeting Law. After a brief discussion, Mike will contact the Chief to see if he can remedy the issue.

2. Gilles W. & Gilles J. Rainville met with Chris Letourneau and Matt Crawford regarding the issue they have with the ditch on Skunk Hill Rd. They are looking for a ditch to collect the water before it gets into the field.

The land slopes away from the road. We are not allowed to channel any water, according to the State regulations. After a brief discussion regarding the ditching, it is the general consensus of the Selectboard to have Mike contact the Agency of Natural Resources to come down and take a look. This will give us an unbiased second opinion.

Unfinished Business Report:

1. Update – Public Gathering Ordinance. Review VLCT options. Mike got an estimate from VLCT for review of the ordinance. The Selectboard had a general discussion regarding the options for review.

Motion made to have VLCT do the legal review for the Public Gathering Ordinance, not to exceed \$276, made by Paul, second by Ric. No further discussion. All in favor.

New Business:

1. Health Officer Concern – Cedarwood Terr. Cindy and Mike are working on this. There may have to be a Selectboard hearing if we cannot get this a resolution. Property is foreclosed now owned by FANNIE MAE and represented by out of state lawyers which highly complicates the issue. This is informational at this time. Mike and Cindy will continue to work on this.

Action Items:

1. Review and act upon resignation of Jeanne Dube from Georgia First Response.

Motion made to accept the resignation of Jeanne Dube from Georgia First Response, and to send her a thank you note for her many years of service, made by Ric, second by Matt. No further discussion. All in favor.

2. Review and act upon application of Ian Labounty as member of Georgia Fire Department.

Motion made to hire Ian Labounty for the Fire Department, contingent on the Officer's approval, made by Ric, second by Matt. No further discussion. All in favor.

3. Review and act upon tax rate issue. Information proved by Matt in packet. A resident, Ken Minck asked for clarification on the 2016 Tax Rate.

The timeline begins on Town Meeting Day with taxpayers approved a budget of \$2.74 million which required \$1.5 Million to be raised by taxes. On August 8, 2016 when the Selectboard, acting upon direction from the Georgia Town Treasurer, approved a tax rate of \$.2745, which is expected to generate \$1.6 million in taxes, a \$100,000 increase. The \$100,000 was required for legal expenses incurred by protracted legal issues surrounding a personnel situation at the Georgia Fire Department. On September 23, 2016, Ken Minck sent an email asking for clarification, saying he was under the impression the budget was voted on and approved at Town Meeting and wondering under what authority the Selectboard can add dollars to the Town budget after it has been approved.

Matt asked for several legal opinions on behalf of the town. Town treasurer Amber asked a couple of people and got two different opinions. This is the way Georgia has done it the past.

None of the opinions received supported the procedure used. There are several remedies.

Attorney Rob Halpert's opinion says that as long as we don't overspend the overall \$2.74 million budget, we are OK. There was a general discussion regarding the tax rate. We have to figure out a way to fix it. The Selectboard would like to make sure that Rob's opinion is correct. If we have \$100,000 cash on hand left at the end of year, can't we just give it back to the voters? The easiest remedy appears to assure we spend our overall budget and return \$100,000 at the end of the year. The problem will be solved that way, so spending for the next five months will be closely monitored.

The Selectboard would like to thank Ken Minck for bringing this to our attention.

It is the general consensus of the Selectboard to have Matt share this conversation with Rob Halpert and see if there is any additional follow-up required. Matt will contact Rob and bring back more information to the next meeting.

4. Review and act upon Notice of 2017 premiums from Blue Cross/Blue Shield. These are advisory numbers. These rates are approved by the Green Mountain Care Board. This is about a 6% increase. Mike will see who is enrolling or not enrolling so we can come up with a better number. This will be discussed further at the next budget meeting.

5. Review and act upon proposed Grand of Development Rights, Conservation Restrictions and Public Access Easement from Vermont Land Trust for Mosely Property. Refer for legal review? Mike is concerned that this document prohibits the Town from having any potential development rights on this property, and would prohibit us from putting up a cell tower etc....

Kent Henderson joined the Selectboard at the table. We waited about 5-6 weeks for this easement draft. The VT Land Trust is looking for comments/concerns from the Conservation Commission and the Selectboard. Kent went over a few issues.

After a general discussion regarding the Easement, it is the general consensus of the Selectboard for Kent to make his notes/changes and forward it to Mike McCarthy. Once Mike gets it, he will forward to the Town Attorney for legal review.

6. Review and act upon construction bids for Route 104A Parking Area. Kent and Conservation Commission are requesting to have bids declined and to go with the Town doing the work. After discussing the parking area with Ric and the Highway Department got together and put together estimates for the town to do the work. The Conservation Commission would pay for the materials, the Town would do the work. We came in with a budget of \$16,000 and added a \$500 contingency to that. We would like to get the parking lot done this coming spring. Ric also got a commitment from Dan Ryea to use any of his equipment or manpower that we need to help up complete it.

Motion made to decline the 5 bids that were submitted for the Russell Greene Parking Area, made by Paul, second by Matt. No further discussion. All in favor.

It is the general consensus of the Selectboard to adopt the recommendations of the Conservation Commission for the Highway Department to do the work on the parking area on 104A.

Administrator's Correspondences and Tasks:

1. Report on tax sale as of October 12, 2016. There were two properties that ended up going for Tax Sale. Both properties were sold. Seven bidders were present at the tax sale. The Thuesen property went for \$36,000 and the King property for \$46,000. The same person bought both properties.

Treasurer's Correspondence:

1. General Ledger Checking Account Balance Worksheet for month ending 9/30/16.
2. Employee accrued time report as of October 3, 2016.
3. Legal Expenses through July 2016.
4. Delinquent tax report as of October 18, 2016.
5. Budget Meeting. Amber requested a date for the next budget meeting. Amber is also looking for a percentage to put on the memo to all departments regarding the 2017 budget. After a general discussion, it is the general consensus of the Selectboard for Amber to send out the memo to all departments with a 2% increase. The budget meeting will be November 9, 2016 at 7:00 p.m.
6. Loan length for air packs. What term of the loan were you looking for? After a brief discussion, Amber will go out to bid for 5-7 year loan term and bring back recommendations to the Selectboard for action.

General Correspondence:

1. Georgia Library Trustee – Agenda from October 17, 2016 meeting.
2. Vermont State Police – September 2016 Monthly Summary Report.
3. Georgia Recreation Committee- Minutes from September 1, 2106.
4. Franklin County Sheriffs' Office – September 2016 Monthly Summary Report.
5. Monthly water testing reports – Beach and Library.
6. South Georgia Fire District – Source Protection Plan – update.
7. Georgia Conservation Commission – Minutes from 10/6/16.
8. Georgia First Response – Minutes from 9/29/16.
9. Northwest Solid Waste District – Minutes from 10/5/16.
10. Georgia Zoning Board of Adjustment – Minutes from 9/19/16.
11. Thank you letter from Friends of Northern Lake Champlain.

State of Vermont Correspondence:

1. I-89 Culvert Replacement notice.
2. Notice regarding floor drain closures. Drain in Highway Dept. will have to be plugged. This should be investigated more to see what other alternatives are available because if you plug the drain then there

would be sitting water in the garage. Mike will research it further and bring back more information to the Selectboard.

Brochures, Newsletters, Workshops, and Advertisements:

None

Items for Signature:

None

Legal Correspondence:

None

Confidential / Executive Session Items:

1. Contracts/Legal.

Motion to go into Executive Session at 8:30 p.m., is requested at this time to discuss contracts, labor relations agreements with employees, arbitration or mediation, grievances, other than tax, pending or probable litigation, or confidential attorney-client communications made for the purpose of providing professional legal services to the Town of Georgia involving the Town, specifically finding that premature general public knowledge of the subject matter would clearly place the Town at a substantial disadvantage, made by Paul, second by Matt. No further discussion. All in favor.

Motion to come out of Executive Session made at 8:47 p.m. by Matt, second by Paul. No further discussion. All in favor.

No action taken out of Executive Session.

Motion to adjourn at 8:48 p.m. made by Matt, second by Paul. No further discussion. All in favor.

Respectfully Submitted by Krissy Jenkins.

Monday, November 14, 2016, Regular Meeting at 7:00 p.m.