

Georgia Selectboard Meeting
Monday, March 28, 2016
7:00 p.m.

Approved: April 11, 2016

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

Absent: None

Public Present: Abby Ledoux, Milton Independent; Kent Henderson, Ken Minck, Suzanna Brown, Fred Grimm, Nancy Volatile-Wood, Conservation Commission; and Bob Heiser, VT Land Trust.

Chris Letourneau, Chair, opened the meeting at 7:00 p.m.

Mike McCarthy added the following to the agenda:

1. Lawn Mowing Bids. Executive Session Contractual.
2. Library Trustee – Agenda for April 18, 2016 and March 21, 2016 Minutes.

Motion to go into Executive Session at 7:00 p.m., with Scott Richards and Russell Hardy, 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 Matt, second by Tara. No further discussion. All in favor.

Motion to come out of Executive Session made at 7:30 p.m. by Paul, second by Matt. No further discussion. All in favor.

No action out of Executive Session.

Public Appearance:

Conservation Commission: Kent Henderson, Ken Minck, Suzanna Brown, Nancy Volatile-Wood and Fred Grimm. Bob Heiser, VT Land Trust.

Kent Henderson read the following statement:

The Georgia Conservation Commission would like to update the Selectboard about continued talks with John and Chris Moseley about their 177-acre property in Georgia. GCC met with the Selectboard in 2011 when the Moseley's first started talking with the GCC about a potential sale of their property on Silver Lake Road to the Town as a potential Town Forest and Natural Area. We are seeking the Selectboard's support to continue to explore the potential purchase of this land as a Town Forest and Natural Area.

The Property: The Moseley property is composed of mixed forestland and is located on the Georgia / Fairfax town line. The property has established trails and logging roads that lead through a variety of forest types. In addition to the existing trails / logging roads, there is significant opportunity for addition trail development for hiking, cross-country skiing, or other uses. There are two beaver ponds and wetland

complexes on the land, providing outdoor education and wildlife viewing opportunities. Some of the property is relatively flat or has a low incline while other places are rather steep. There are various wildlife habitats including open meadow, early successional habitat, secondary forest and very mature trees. Due to this varied habitat there is a vast number of different animal and plant species on the property. You can find tiny seedlings, to monstrous maples and oaks. There are mostly hardwoods, including shagbark hickory. There are many mast trees including apples, beech and oaks. You can find patches of pine, spruce and hemlock, and a few birches. There are a few old cellar holes, several meandering streams, and lots of rocks to explore. You can find a large tree growing out of the side of a ledge. Another tree grew through the fender of an old car. Stone walls mark where once the meadows met the woods. The property abuts the remote Silver Lake property, which is owned by the City of St. Albans as a back-up water supply, and there are views of the remote lake from the northern portions of the Moseley land. The access to the Moseley land is at the end of a short Class IV section of Silver Lake Road. The Conservation Commission believes that this property would be a great educational, recreational, and natural resource for the residents of Georgia.

Background: Chris and John Moseley own 177 acres in Georgia, on the Fairfax town line. The Moseleys began talking with Georgia Conservation Commission in 2011 about potential Town ownership of the land as a Town Forest and Natural Area. The GCC contacted Vermont Land Trust to see if there might be funding opportunities available if the Town wished to purchase the property. Bob Heiser from Vermont Land Trust informed the GCC that a grant from the Vermont Housing & Conservation Board (VHCB) may be possible, and that the first step would be to get an independent appraisal to determine the potential level of funding possible and to determine if the value was acceptable to the Moseleys. On May 23rd of 2011, the Selectboard voted in favor of providing up to \$1,500 toward an appraisal of the property. Bob Heiser at VLT was able to access a small “Feasibility Grant” for half the cost of an appraisal from VHCB, and the Town ultimately committed \$750 toward the total appraisal cost. In November of 2011, we received an appraisal from Jesse Larson of Larson Appraisal Company. The Moseleys were very interested in seeing this land conserved and open to the public, but conversations stretched over the next three years without a clear decision from the Moseleys that they would like to move forward.

Current Opportunity: Following intermittent contact over the past few years, the Moseleys revived serious conversations with the Georgia Conservation Commission in the late fall of 2015. In late February of 2016, the Moseleys indicated that they would like to move ahead with the sale of their land, and that they would accept a purchase price not to exceed the 2011 appraised value regardless of the finding of a new appraisal, if the Town was interested in purchasing it.

Proposed Next Steps: Site Control. Given the current enthusiasm of the Moseleys to work with the Town of Georgia, the Conservation Commission would like to see the property secured to give the Town the time to explore the opportunity further. The Vermont Land Trust has indicated a willingness to secure the land by entering into an Option to Purchase Agreement with the Moseleys. Such an option would give VLT the right to purchase the land for no more than the 2011 appraised value. The option could be structured to be “assignable” to the Town if the Town ultimately determines it would like to proceed with the purchase of the land. The option term would likely expire in the late summer or fall of 2017. The Option agreement would be between VLT and the Moseleys, and the Town would not need to be a party to this agreement.

Appraisal. The appraisal commissioned in November of 2011 would need to be updated to confirm that the land has not decreased in value. The Moseleys have indicated a willingness to cover the full cost of an appraisal update.

Grant Opportunity. VHCB provides grants to towns across Vermont to assist them in purchasing and conserving land that benefits their communities. It is likely that assisting the Town of Georgia to

purchase the Moseley property as a Town Forest and Natural Area would be an attractive project for this funding source. VCHB grants for this type of project have a maximum of \$150,000. Bob Heiser has indicated that he would be willing to submit an application for \$150,000 to VCHB to assist in the Town's purchase of the property. If the grant were approved and the Town decided to move ahead with the purchase, the Conservation Reserve Fund could be used to leverage VCHB funds and meet the purchase price.

Land purchased with the assistance of VCHB funding would require the land to be conserved with a perpetual conservation easement held by VCHB and Vermont Land Trust. VLT would need to cover the costs of developing the conservation easement and establishing a permanent endowment for the perpetual monitoring of the conservation easement. Total conservation costs would total approximately \$30,000, plus the purchase price. A grant from VCHB for the maximum \$150,000 would represent more than 50% of this budget. There is a VCHB application deadline on April 11, 2016. VCHB makes decisions at its June 16th meeting, and it is likely that all the funding for its Fiscal Year July 1, 2016 to June 30, 2017 will be committed at that meeting. Bob Heiser at VLT is willing to submit an application to VCHB if the Selectboard is supportive of continuing to pursue this opportunity.

Request for Select Board Approval: The Conservation Commission feels strongly that this is a great opportunity for the residents of Georgia. Similar Town Forests, parks, and natural areas in nearby towns are highly valued as recreational, educational, silvicultural, and natural resources for local residents, and they often bring visitors and economic activity to their towns. What we are looking for is a Select board "vote of approval".

In the meantime, we welcome Selectboard members to visit the property and see for themselves why we are interested in conserving for the current and future residents of Georgia. Bob Heiser and Kent Henderson are willing to coordinate hikes on the property for anyone interested. We appreciate the Selectboard's time in considering this opportunity and request its support in the continued pursuit of purchasing this land as a Town Forest and Natural Area.

Kent opened the meeting to any questions. The Selectboard had a general discussion regarding the property and the access to the property. The Conservation Commission plans on buying the property this year and working on the trails in the future. A Master Plan will come in the future as well.

Motion to go into Executive Session at 7:45 p.m., with the Treasurer, Town Administrator, Conservation Commission and Bob Heiser, 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 7:55 p.m. by Matt, second by Tara. No further discussion. All in favor.

Motion to approve and support the continued pursuit of purchasing the Mosely parcel as a town forest and natural area, made by Paul, second by Matt. No further discussion. All in favor.

Bob Heiser left the meeting at 7:56 p.m.

The Selectboard asked Kent to go over the Act 250 Permit for the parking lot at the Russell Green Natural Area. The Town has been cleared by Act 250 permitting and so with that in hand, Kent can go and get

an application to the Planning Commission for the construction of the curb cut and roadway and 10 car parking lot. Mike and Kent will be working together to get this completed. Best case scenario would be mid-July to get this project complete.

The Selectboard thanked the Conservation Commission for their hard work in pursuing this parcel of land for the Town.

Review of Minutes:

Minutes of the March 14, 2016, regular meeting were reviewed and discussed. Motion made to approve the 3/14/16 regular meeting, as presented, made by Paul, second by Matt. No further discussion. All in favor.

Review of Warrants:

Motion to approve Check Warrant Report PR #11 for period end 03/17/16; Check Warrant PR #12 for period end 3/24/16; Check Warrant Report AP #20 for a payroll transfer to Citizens Bank; and Check Warrant Report AP #21 for a payroll transfer to Citizens Bank, made by Matt, second by Paul. No further discussion. All in favor.

Ric Nye joined the meeting at 8:05 p.m.

Motion to approve Check Warrant Report AP #22, for the general fund, made by Matt, second by Paul. No further discussion. All in favor.

Selectboard Concerns:

1. Chipper Purchase. Amber stated that the Highway Department would like to purchase a chipper. They got three quotes (per policy) and feel the one from Got That Rental and Sales is the one they want. The Selectboard budgeted \$20,000 for the chipper purchase. The current chipper that we have is too small and it is old, parts are hard to find. If we pay for the chipper when we pick it up, they will take \$500 off the price and there is a \$750 trade in value, making the chipper's total cost of \$12,250.00

Motion made to approve of the purchase of the chipper in the amount of \$12,250.00 and to trade in the old chipper, made by Matt, second by Ric. No further discussion. All in favor.

There was a proposal in the budget to purchase a roadside mower, they would like to do that also because it is going to take a month to get it. The amount budgeted was \$5,600 from impact fees. The Selectboard had a general discussion regarding the purchase of the mower.

Motion made to purchase the roadside mower, as budgeted, made by Matt, second by Tara. No further discussion. All in favor

Unfinished Business Report:

1. Additional dock bids for beach for review only. Kerry hasn't given his recommendation on the bids to date. Mike is going to have Kerry come in to a future meeting to discuss the docks further.

2. Additional mowing bid – Yellow Dog, for review only. To be discussed in Executive Session, as it is contractual.

New Business:

None

Action Items:

1. Review settlement offer from VLCT for damaged truck. Mike was able to get them to the amounts shown in the offer. Need authorization to accept or direction to continue negotiations.

Mike has negotiated with VLCT; bottom line is they will buy the truck from us for \$24,000, we buy it back for \$2,175.00 and we keep the truck with a salvage title.

It is the general consensus of the Selectboard to have the Town Administrator move forward with the settlement offer from VLCT.

Ric states, "Before we leave the truck issue, I think we owe Steve Jangraw a lot of thanks, he did a lot of work on this truck and he is not charging us for it. So a big thank you goes out to Steve". The Town Administrator will send him a thank you note on behalf of the Selectboard.

2. Approve firefighter application of Eric Couture.

Motion made to accept the recommendation of the Fire Department Officers and hire Eric Couture to the Fire Department, made by Ric, second by Matt. No further discussion. All in favor.

Administrator's Correspondences and Tasks:

None

Treasurer's Correspondence:

None

General Correspondence:

1. Mike Ferrone – resignation letter. Lary Martell took over for Mike Ferrone. Lary was able to train with Mike for a week.

We are keeping Mike on the books as an employee, not as our Planning Coordinator, but as building maintenance. Do we have a plan for Mike regarding the ADA issues at the Library or at the Beach? Mike McCarthy states that there isn't at this point, but he will work with him to get this going. Paul would like to make sure that the ADA Bathroom's at the Library is a high priority.

2. Northwest Regional Planning – Notice regarding bridge prioritization for FY 2018. This news is discouraging. There are 100 bridges on this list, and this list is telling us that we aren't even on the top 100 list.

State of Vermont Correspondence:

1. Land Use Permit – 104A parking area. Discussed earlier in the meeting with the Conservation Commission.

2. Dept. of Environmental Conservation – TNC Report and scheduling. Informational at this time.

Brochures, Newsletters, Workshops, and Advertisements:

None

Items for Signature:

1. Regional Planning Commission – Appointments and Municipal Assessment. Chairman’s signature only is needed.

Motion made to approve of Regional Planning Commission Appointments and Municipal Assessment, and for the Chair to sign on behalf of the Selectboard, made by Matt, second by Tara. No further discussion. All in favor.

Public Comment:

Heather Grimm has a question about the open meeting that she needs to clarify. “When you guys go into Executive Session, is the meeting still open until you come out of Executive Session and you close the meeting or does the meeting get closed during Executive Session?” The meeting gets closed after the Selectboard comes out of Executive Session.

Legal Correspondence:

None

Confidential / Executive Session Items:

1. Legal.
2. Personnel.
3. Contractual.

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 Matt, second by Ric. No further discussion. All in favor.

Motion to come out of Executive Session made at 9:00 p.m. by Matt, second by Paul. No further discussion. All in favor.

No action out of Executive Session.

Motion to adjourn at 9:04 p.m. made by Ric, second by Paul. No further discussion. All in favor.

Respectfully Submitted by Krissy Jenkins.

Monday, April 11, 2016, regular meeting at 7:00 p.m.