

SHAFTSBURY SELECTBOARD
REGULAR MEETING
July 18, 2011
MINUTES

ATTENDING: **Board Members present:** Lon McClintock, Karen Mellinger, Bill Pennebaker, Craig Bruder, Carl Korman. Town Officials: Margy Becker, Town Administrator; Terry Stacy, Road Foreman. Guest: Dave Mance, Tom Faris, Ricky Harrington, Tim Scoggins, Mitch Race, Norm Gronning, Kathleen Geneslaw, Peter Cross.

1. Call to Order

Chairman McClintock called the meeting to order at 7:00p.m.

2. Announcements

Chair McClintock announced that the Water Board met at 6pm and the budget was adopted for the 2011-2012 fiscal year.

Chair McClintock informed the public that the public hearing for the discontinuance of the Faris property is on the agenda.

Karen Mellinger announced that the tag sale at the Shaftsbury School to raise money for the 250th town anniversary was a success. Karen Mellinger thanked everyone involved for their help and dedication. The anniversary celebration is from August 19-21; ending on Sunday at the Galusha house.

Margy Becker reminded everyone that new stickers are needed for access to the landfill; the cost of stickers is \$20, which is for two cars.

Chair McClintock announced that TAM has withdrawn its application from the State for the compost site.

3. Conflict of Interest Statement

Chairman McClintock inquired if any Board member had a conflict of interest with any matter on the agenda. No conflict noted for the record.

4. Public Comments

Kathleen Geneslaw presented and read a letter on behalf of the North Shaftsbury Residents for Environmentally Responsible Development. The letter voiced their concerns with TAM's proposed compost site. (See attached)

Kathleen Geneslaw presented a petition for a 6 month moratorium on compost facilities. The compost issue will be on the agenda in August.

Mitch Race voiced his concern with the DRB hearings on TAM's request for a compost facility in Shaftsbury. The application to the DRB has been suspended, not withdrawn. He expressed his concern that if after 45 days of the last public hearing no decision is made then it is considered approved. There has been no notice of another hearing. Mitch Race attended the DRB

hearings and stated that there was supposed to be another hearing, but none have been posted.

Carl Korman noted that the State has no process for suspension and that the State has terminated the application.

Ricky Harrington of Glasenbury asked that the Letter of Agreement be on the agenda in August.

Chair McClintock asked that other business be taken out of order. The Board agreed.

10a. Other Business

Tim Scoggins, representing the 250th Anniversary Committee, asked the Town's help in mailing out notices for the events for the Anniversary Celebration. The committee does not want any resident to be left out. Tim estimated the cost around \$900.

Bill Pennebaker made the motion to approve financing the mailings. Craig Bruder seconded. Motion carried unanimously.

5. Planning Commissioner Interview

Norm Gronning stated that he is interested in joining the Planning Commission and feels he could be useful.

Karen Mellinger made the motion to appoint Norm Gronning to fill the Planning Commission vacancy that ends in April 2012. Craig Bruder seconded. Motion carried unanimously.

6. Highway Discontinuance of Faris Property

David Mance, representative for the Faris family requested the discontinuance of the Faris Property as a highway. David Mance stated that in his search of the property he found two defined parcels in the 1800's, which stated that if the property is not used as a highway the property goes to the grantee. As such, he asked the town to abandon all rights to the property. Ricky Harrington stated that the Town as always maintained the lot in question.

Carl Korman stated that the Town should continue to maintain or let it go altogether.

Chair McClintock stated that there is no notice for the Meadow Lane side.

Carl Korman asked if other deeds on the west side should be considered.

Peter Cross asked if the cut off will be on the west side.

Chair McClintock stated that there will be a separate hearing for Meadow Lane in the future.

Karen Mellinger made the motion to close the public hearing. Carl Korman seconded. Motion carried unanimously.

Craig Bruder made the motion to discontinue the Faris property as a Town highway. Karen Mellinger seconded. Motion carried unanimously.

7. Bid Openings

a. Airport Road Paving

Peckham: 2.5" binder-2675 tons @ 68.35/ton 1.5" top coat-1675 tons @ 68.35/ton; tack coat-1870 gals. @ 3.75/unit Total bid: \$306,247.50

Pike: 2.5" binder-2394 tons @ 71.12/ton; 1.5" top coat-1436 tons @ 71.12/ton; Tack Coat-422 gals @3.00/unit. Total bid: \$274,855.60

Wilk Paving: 2.5" binder-2460 tons @ 69.26/ton; 1.5" top coat-1490tons @ 69.26/ton; Tack coat-360 gals. @ 6.75/unit. Total bid: \$216,008.

There was no action to award the bid, due to questions regarding the type of bid (lump sum vs. cost per ton). Road Foreman Terry Stacy noted he had additional questions regarding the bids. He will ask for bid clarifications.

b. Chloride – dust control

Gorman Bros. Inc.: 35% calcium chloride @ .89/gal.

Peckham Industries Inc.: 35% calcium chloride @ .85/gal. with storage.

Karen Mellinger made the motion to accept Peckham's bid of .85/gal. with storage. Craig Bruder seconded. Motion carried unanimously.

c. Paran Road rehabilitation ; action tabled permanently. Subcontractor costs are estimated at less than \$3,000. No formal bid necessary. The Road Foreman will solicit estimates.

8. Sand and Salt Storage for Winter

CVPS cost for installing power lines at the landfill site for storage use is \$4,000 if the Town removes the trees. Road Foreman, Terry Stacy suggested putting equipment not in use during the winter months at the landfill and keep sand and plows at the garage using jersey barriers. Chair McClintock asked for an estimate as soon as possible and by Friday.

9. Town Administrator Report

The annual inspection of the landfill is coming up.

Margy Becker is working on the oil tank contamination issue. Dorr Oil is looking into purchasing the oil. Residents are not allowed to bring oil at this time.

There will be an electronic drop-off site in Bennington, more information will be available in September.

The Spring HHW Collection day is wrapping up.

BCRC – hire of solid waste plan. There are 8 towns enrolled in SWIP.

Procurement for design services for the last phase of the sidewalk grant is beginning.

A meeting for the personnel policies needs to be set. There are two outstanding items that need to be addressed. Craig Bruder informed the Board that he has the answers to these items.

The Road Crew is working on self-evaluations.

Board Members informed Margy Becker of their vacation times for August.

10b. Other Business

Judith Kinecht would like to be appointed to the Listers. This will be on the agenda for August.

Financing for equipment has gone to Kansas State Bank of Manhattan. The loan document states that the funds are not to come from reserve funds; they will be expensed to the general fund as debt service. Lon McClintock signed the loan document.

Karen Mellinger made the motion to approve the loan document. Carl Korman seconded. Motion carried unanimously.

Karen Mellinger has been asked by residents why there is a time limit put on the 4 free tires allowed on Green-up Day when the landfill is opened until 4pm but they have from 9am to 1pm to drop off tires. Karen asked that this be discussed at the next meeting.

11. Approval of Minutes

Tabled___

12. Approval of Warrants

CHECK WARRANT #W2 IN THE AMOUNT OF \$46,496.03.

Karen Mellinger made the motion to approve check warrant #W2 in the amount of \$46,496.03. Craig Bruder seconded. Motion carried unanimously.

CHECK WARRANT #W1 IN THE AMOUNT OF \$8,238.88.

Karen Mellinger made the motion to approve check warrant #W1 in the amount of \$8,238.88. Bill Pennebaker seconded. Motion carried unanimously.

TRANSFER WARRANT DUE TO THE GENERAL FUND IN THE AMOUNT OF \$43,122.39.

Karen Mellinger made the motion to approve transfer warrant in the amount of \$43,122.39. Craig Bruder seconded. Motion carried unanimously.

CHECK WARRANT #W54 IN THE AMOUNT OF \$47,237.09.

Karen Mellinger made the motion to approve check warrant #W54 in the amount of \$47,237.09. Bill Pennebaker seconded. Motion carried unanimously.

CHECK WARRANT #W53 IN THE AMOUNT OF \$2,907.63.

Karen Mellinger made the motion to approve check warrant #W54 in the amount of \$2,907.63. Craig Bruder seconded. Motion carried unanimously.

CHECK WARRANT #W52 IN THE AMOUNT OF \$66,939.18.

Karen Mellinger made the motion to approve check warrant #W52 in the amount of \$66,939.18. Bill Pennebaker seconded. Motion carried unanimously.

PAYROLL WARRANT PR#1 IN THE AMOUNT OF \$6,179.36.

Karen Mellinger made the motion to approve payroll warrant PR#1 in the amount of \$6,179.36. Carl Korman seconded. Motion carried unanimously.

PAYROLL WARRANT PR#52 IN THE AMOUNT OF \$8,458.18.

Karen Mellinger made the motion to approve payroll warrant PR#52 in the amount of \$8,458.18. Craig Bruder seconded. Motion carried unanimously.

PAYROLL WARRANT PR#51 IN THE AMOUNT OF \$19,008.92.

Karen Mellinger made the motion to approve payroll warrant PR#51 in the amount of \$19,008.52. Craig Bruder seconded. Motion carried unanimously.

CHECK WARRANT #W56 IN THE AMOUNT OF \$6,172.72.

Karen Mellinger made the motion to approve check warrant #W56 in the amount of \$6,172.72. Bill Pennebaker seconded. Motion carried unanimously.

CHECK WARRANT #W55 IN THE AMOUNT OF \$3,200.00.

Karen Mellinger made the motion to approve check warrant #W55 in the amount of \$3,200.00. Carl Korman seconded. Motion carried unanimously.

RETIREMENT WARRANT #W53R IN THE AMOUNT OF \$110.12.

Carl Korman made the motion to approve retirement warrant #W53R in the amount of \$110.12. Craig Bruder seconded. Motion carried unanimously

13. Purchase of Real Estate

Tabled

14. Adjournment

Carl Korman made the motion to adjourn at 9:30pm. Karen Mellinger seconded. Motion carried unanimously.

Submitted by
Carol MacLean