

**SHAFTSBURY SELECTBOARD  
REGULAR MEETING  
AUGUST 20, 2012  
MINUTES**

**Board Members present:** Lon McClintock, Karen Mellinger, Craig Bruder, Billy Obenauer.

**Board Members absent:** Carl Korman.

**Town officials present:** Treasurer Bill Fisk (Town Treasurer, arrived at 6:50 p.m.), Terry Stacy (Highway Foreman, arrived at 7:00 p.m.), Merton Snow (Delinquent Tax Collector).

**Other present:** Jennifer Viereck, Art Whitman, Cheryl Mance, Phylis Porio, Jay Palmer, Barry Mayer, Mitch and Joanne Race, Trevor Mance, Jeri and Ron Schoof, Sandra Mangsen (Recording Clerk, arrived at 6:55 p.m.).

**1. Call to Order**

Chairman McClintock called the meeting to order at 6:00pm.

**2. Announcements**

Karen Mellinger announced that a Colonial Day Celebration, to commemorate the closing of Shaftsbury's 250<sup>th</sup> Anniversary year, will be held on Saturday, September 29<sup>th</sup> at the Galusha Homestead from 10:00 a.m. to 4:00 p.m. Information is on the Town web site. The event will include re-enactors, musket and live fire demonstrations, a roundtable discussion with noted local historians and authors, children's games, hands on displays and much more. All are welcome and encouraged to attend.

Lon McClintock provided an update on the Cider Mill Road project. The Board is awaiting a written response from Peckham Corp. re: their understanding and evaluation of the scope of the project, as it abuts sensitive slopes by one of the Peckham gravel pits. Lon advised that he anticipates a Board discussion at one of the September meetings re: an evaluation of the summer road projects and whether any additional cleanup work is necessary.

Chairman McClintock advised the Board that he was in receipt of a letter from Ed Corey regarding his concern that occasionally the Town Administrator's dog was present in her Cole Hall office. The Board agreed that there had never been an objection raised regarding the presence of the dog and it did not constitute a problem.

**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**

There were no public comments regarding any matters not on the agenda.

Chairman McClintock requested permission of the Board to take some agenda items out of order, as the Treasurer was not expected to arrive until closer to 7:00 p.m. The Board agreed.

## 5. Citizen Request for Personal Conduct Resolution

Art Whitman presented draft wording on a conduct resolution. Lon McClintock advised that while he supports the idea, he does not see this issue as one that should be finalized in one meeting. He suggested that perhaps the Town would benefit from a workshop at which officials and citizens can participate. Billy Obenauer expressed concern that such a resolution could be used by a Board Chair to remove a member of the public if he/she was perceived as violating the policy. His perception is that previous difficulties at meetings arose because the meetings were not properly managed. Chairman McClintock advised that Robert's Rules of Order already provides an avenue for dealing with disruption. He also noted that he does not believe that a civility resolution would enhance a Board member's ability to exclude anyone from a meeting. Karen Mellinger presented several other examples of civility resolutions, including one from the National League of Cities and Towns. She noted that these resolutions put more emphasis on the need for Town officials to make a public commitment to foster a civil environment. She provided copies of these resolutions to Mr. Whitman, and it was agreed that the Board would review possible alternative language prior to the September 4<sup>th</sup> Board meeting, when this item may appear on the agenda.

## 6. Board of Listers-Error and Omissions Report

There were four reports of errors and omissions presented by the Listers' Department that need approval from the Board. The first was the property of Adam Brimmer, 683 East Road, which notes a grand list value of \$204,400, with the amended house site value set at \$202,300 (changed from \$0).

**MOTION: To approve the adjustment of the house site value to \$202,300 as presented by the Listers. Moved by Craig Bruder, seconded by Karen Mellinger. Carried 4-0-0.**

The property of Timothy Carpenter and Christine Bushee, 835 VT Rt 7A, which notes a grand list value of \$271,800, with the amended house site value set at \$271,800 (changed from \$221,400 as there is no longer rental/business use).

**MOTION: To approve the adjustment of the house site value to \$271,800 as presented by the Listers. Moved by Billy Obenauer, seconded by Craig Bruder. Carried 4-0-0.**

The property of Dan and Lynn Peters, 254 Grove Road, which notes a grand list value of \$118,700, with the amended house site value set at \$118,700 (changed from \$100,600 as the owner did not declare rental/business use).

**MOTION: To approve the adjustment of the house site value to \$118,700 as presented by the Listers. Moved by Craig Bruder, seconded by Billy Obenauer. Carried 4-0-0.**

The property of Gabrielle Watson, 21 Buck Hill Road, which notes a grand list value of \$132,500, with the amended house site value set at \$132,500 (changed from \$111,800 as the owner did not declare rental/business use).

**MOTION: To approve the adjustment of the house site value to \$132,500 as presented by the Listers. Moved by Billy Obenauer, seconded by Craig Bruder. Carried 4-0-0.**

## **7. Zoning Bylaw Hearing Schedule**

Chairman McClintock noted that there were two issues that need to be scheduled for hearings:

- A. Enclosure of Outbuildings
- B. Open space subdivisions

In order to allow for proper warning time, it was agreed that the hearing will be tentatively set for October 1. The Town Administrator will be advised, when she returns from vacation, to arrange for proper warning.

Mitch Race requested an explanation of what “enclosure of outbuildings” means. Craig explained that it refers to a detached building that may be enclosed/covered, and that the use is very limited. If the use is changed, the owner must obtain a permit.

Joanne Race noted that she thought the open space subdivision language was being referred to the Town Attorney for feedback. This was confirmed. Mitch suggested that the open space subdivision information that is received from the town attorney be posted on the website.

Lon McClintock advised that a hearing on the highway access ordinance also needs to be scheduled in the near future.

## **8. Brownell’s Salvage Yard**

Lon McClintock said that he is still working on the findings from the hearing and he will have it to the Board for the September 4<sup>th</sup> meeting.

## **9. Financial Reports**

The Town Treasurer, Bill Fisk, joined the Board and presented the tentative final 2012 Fiscal Year Budget Year-to-Date and report and a current budget update.

## 10. Other Business

Although not on the agenda, Merton Snow, Delinquent Tax Collector, asked that he be allowed to present information on up-coming tax sales. He will be away when the Board meets on September 4<sup>th</sup> and the tax sale is scheduled for early September. The Board will need to decide if it wishes to enter a protective bid on any of the properties. Mert Snow described six properties up for tax sale and advised that he believes there will be bidders for each property. The Board can decide officially on September 4 whether the Town should be represented in the bid process.

Karen Mellinger requested an update on the matter of wages for the position of Zoning Administrator. Lon McClintock explained that in addition to the hourly wage, Shaftsbury has allowed the ZA to retain a portion of the permitting fees. The question of whether or not to alter the policy to base compensation on an hourly wage only will be discussed at a future meeting.

Billy Obenauer asked about town practices with respect to password security, in particular disabling passwords for former employees. He indicated that the topic needs to be addressed.

## 11. Road Foreman's Reports

Terry Stacy joined the Board at approximately 7:30 p.m. At that time, he presented a letter from Brian Lent, of Peckham Corp., which gives permission for the Town to work in the area of the Peckham property on Cider Mill Road within specific parameters. Although the letter indicates Mr. Lent's understanding that the Town will be working within a 20' right of way, Terry Stacy advised that with Mr. Lent had indicated in their discussions that the town has a 24'9" right of way. The Board instructed Terry to follow-up with a written communication to Mr. Lent confirming that he acknowledges the Town has a 24'9" right of way.

Mr. Stacy informed the Board that he has been in discussion with Peckham Corp. regarding using Twitchell Hill as a reclamation demonstration project. He will get more information regarding the cost to the Town for the binder coat. This could potentially be done this fall, which final blacktopping done next year.

## 12. Minutes of August 6, 2012 –action tabled

## 13. Approval of Warrants

**MOTION: To approve Check Warrant #06 in the amount of \$19,644.59. Moved by Karen Mellinger, seconded by Craig Bruder. Carried 4-0-0.**

**MOTION: To approve Payroll Warrant #07 (retirement) in the amount of \$130.37. Moved by Craig Bruder, seconded by Billy Obenauer. Carried 4-0-0.**

**MOTION: To approve Payroll Warrant #06 in the amount of \$6,616.81. Moved by Craig Bruder, seconded by Billy Obenauer. Carried, 4-0-0.**

**14. Adjournment**

**MOTION: To adjourn the meeting. Moved by Karen Mellinger, seconded by Billy Obenauer seconded. Motion carried unanimously. The meeting was adjourned at 8:05 p.m.**

Respectfully submitted,

Sandra Mangsen (with thanks to Karen Mellinger)  
Recording Clerk