

**Brandon Select Board Meeting
June 10, 2024**

NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

Board Members in Attendance: Doug Bailey, Heather Nelson, Tim Guiles, Brian Coolidge, Ralph Ethier

Others In Attendance: Seth Hopkins, Bill Moore, Dorothea Langevin, Karen Farwell, Karen Rhodes, Sandy Mayo, Steven Jupiter, Vicki Disorda, Janet Coolidge, Jack Schneider, Judy Bunde, Steve Cijka, Jenna Koloski, Faith Daya, Scott Scribner, Barbara Scribner, Jason Sica, Roy Murdock, Billy Gillam, Sarah-Lynne Carrara

Others by Zoom: Alyssa Johnson, Bruce Jenson, Keith Whitcomb, Neil Silins, Tom Kilpeck

1. Call to Order

The meeting was called to order at 7:08PM by Doug Bailey – Board Chair.

a. Agenda Adoption

Motion by Heather Nelson/Ralph Ethier to approve the agenda. **The motion passed unanimously.**

2. Recurring Matters

a. Approval of Select Board Meeting Minutes – May 27, 2024

Motion by Heather Nelson/Brian Coolidge to approve the Select Board minutes of May 27, 2024. **The motion passed unanimously.**

b. Approval of Warrant – June 10, 2024 - \$60,680.54

Motion by Tim Guiles/Brian Coolidge to approve the warrant of June 10, 2024, in the amount of \$60,680.54. **The motion passed unanimously.**

Heather Nelson had a question about the warrant for Awesome Graphics and Seth Hopkins advised it was for lettering of one of the police cruisers.

3. Presentation by Vermont Council on Rural Development on Community Visit Program

Jenna Koloski and Alyssa Johnson of the Vermont Council on Rural Development were present to discuss a Community Visit program with the Select Board. Ms. Koloski advised their role is to convene and facilitate community conversations and be a liaison between federal and state resources. Most of their work is at the community level but they also work at the state level regarding topics that impact rural communities. The Community Visit program has been running for 30 years in 90 communities around the state. They work with both large and small towns, and the Program provides a neutral platform for community conversation and brings out as many voices as possible in the community. They want to hear from as many voices to help the community brainstorm ideas and set priorities for the town. It is not another town plan but is narrowing down to some concrete actions and engaging volunteers. They only work when invited by a select board but serve the full community. One goal is to bring new voices into the process and determine what community members want to work on for their town. They have seen towns prioritize initiatives with some communities going large with infrastructure improvement, and some communities prioritize recreation or community events. It is a 4-to-6-month process in gathering community representatives to frame the process. They rely on people to determine what is to be discussed and then open it up to the community. They host fun, but community-based events to have forums to do brainstorming. They then do surveys and collect information, followed by voting on priorities to provide a way for the community to deliberate. The final step is action

planning, steps that can be taken, and resources available. They will bring visiting teams and other community leaders who can help provide technical assistance and provide information on what their communities have done. They provide on-going technical assistance, coaching, and help to build local task forces. At the end of the process, there are notes, action plans, and contact information that is put in a final report. Ms. Koloski stated they offer the process free of charge and it costs them about \$45,000 that is paid through a variety of funding resources. There are two things that they ask from the Select Board which is to support the community event dinner and for the Town to cover the cost of a mailing that goes out to everyone in the community. In terms of their schedule and how a community goes about requesting this program, they are committed to communities through this year and are deciding who to work with in 2025. She noted the Vermont communities have been through a lot and there is interest in assistance. Those decisions will be made in August by the advisory group and their board finalizing the decisions in September for 2025. The way to be considered would require a letter from the Select Board requesting a Community Visit process. It is helpful to include comments as to why this would be useful for the community.

Bill Moore reported he has sat in on some community visits and advised that Mr. Hopkins and he have previously discussed doing this as there has been a lot of change over the last 10 years. Heather Nelson noted the Town Plan was just completed and asked how it is different and complementary. Mr. Moore did not think this is redundant as the Town Plan is mandated by the State and is not as engaging of a process with the community. These are actionable items that can be community driven. Jenna Koloski felt that this process worked well either right before or right after a town plan process. The town plan lays out the important strategies, but their process can be complimentary as it helps to build momentum that aligns with town plan goals. There are many actions that can be taken and this can help to narrow down the list and bring community energy to help drive items forward.

Karen Farwell stated this has been a difficult budget season for Brandon and she felt this is a good community but is deeply divided along financial lines. It would be important to engage some of the sectors that are not accustomed to being engaged. Jenna Koloski stated she has facilitated a process in towns that were in a moment of issue and they are comfortable facilitating amidst challenge and tension. She stated often it either involves ways to build trust or sometimes talking to different groups and finding ways to connect.

Doug Bailey advised the Select Board will be discussing this topic. Ms. Koloski asked that the Select Board let them know if they have any questions and if the community decides to move forward with this program, a letter from the Select Board would be needed to bring to the group in August.

4. Town Manager's Report

A Town Manager's report was provided by Seth Hopkins and is available for viewing in the Board packet on the Town's website.

Mr. Hopkins wished to highlight that the goal-setting meeting was useful and suggested the Select Board schedule a public goal-setting meeting in the future.

Mr. Hopkins reported that Neil Silins, the Town's Tree Warden, was recognized at the State level with the 2024 Tree Steward Award. Mr. Hopkins read the following letter that was received from Mr. Silins:

"Whether you're a tree hugger or tree tolerater, there's no question that trees add a lot to a community.

We know that trees moderate the temperature, reduce rainwater runoff, reduce crime, and make people happier.

We have a lot of trees in Brandon and Forest Dale. Are any trees better, or best? Not really. But, which one is bigger, or biggest? The Brandon Tree Group, or BTG (the new name for the tree committee) is hosting a "biggest tree" contest. Not the tallest tree, but the biggest around. In Brandon and Forest Dale.

We would like you to submit your choice for biggest tree. Usually mature trees are measured using "diameter at breast height (DBH)". We're making it easier. Measure the circumference at breast height", which is about 4 ½ feet from the ground. Measure in inches. Take a picture if you can. Tell us where it is and the species (oak, maple, ash or whatever or?). Email this

information to Brandontreewarden@gmail.com along with the best way to contact you.

The contest will run until Thanksgiving 2024. BTG will review the submissions for the biggest diameter trunk and have a ceremony to announce the winner(s). Prize(s) to be announced.”

Mr. Hopkins reported the Town has received substantial funding from FEMA and will be working with the State. At a subsequent meeting there will be a discussion regarding designating funds for the end of the year.

Bill Moore read the following from the Sue Gage, Town Treasurer, regarding the effect of the late education vote for the schedule of tax bills and due dates:

- “If Budget Passes on Tuesday, June 11 - Tax Bills will be DELAYED
- . Must wait for 30 days before election can be certified, July 11
- . Must wait 14 days for Dept of Ed to issue a Homestead Tax Rate, July 25
- . Tax Bills will be going out week of August 5 - 9 with due dates of 9 /15, 11/15, 2/15 and 5/15
- . School Taxes will be delayed until tax bill due date of 9 /15.

If Budget Fails on Tuesday, June 11 - Tax Bills will NOT be delayed, but will require two separate billings, Interim Billing and Supplemental Billing

- . Will be able to bill any Non-residential properties without a supplemental billing
- . Homestead properties will receive an estimated bill, where we estimate the school budget based on the prior year. A TAX BILL WILL STILL BE ISSUED AND NEED TO GET PAID. We will pay the school an estimated share after the August 15 due date, per normal.
- . Once a budget passes, 30 days pass for certification, and 14 days for Dept of Ed to revise the tax rate, and we will then do a Supplemental Bill to all homesteads.”

5. Rec Director’s Report

A Rec Director’s report was provided by Bill Moore and is available for viewing in the Board packet on the Town’s website.

Mr. Moore reviewed the Rec Director’s report submitted:

The 2024 Baseball/Softball season is ending. A big thank you to our sponsors and coaches:

Coach	Sponsor
Scott Quenneville	Mountainside Flooring
Darcie Heitmann	Mae’s Place
Robin Douglas	Graph-X
Justin Martelle	Pockette Pest Control
Chad Disorda	McCullough Bros.
Justin McKeighan	Shady J’s BBQ
Justin Martelle	Black Diamond Builders
Paul Quesnel	McCullough Bros.
Megan & DJ Dickinson	Townline Equipment
Meghan & Bill Rose	Carter Insurance Agenda
Colton Leno	Brandon Masons
Kayla Griswold	Stone Motors
Lexi Duby	Black Diamond Builders
Noah O’Connor	McCullough Bros.

Banner Sponsors for 2024 – Brandon Masons, Stone Motors, and Townline Equipment

Summer Softball practice starts this week with coaches Thomas Hobbs and Adam Parker.

We will be partnering with SolarFest and the Brandon Area Chamber of Commerce to apply for a Transformational Tourism, Events, and Regional Marketing (T-TERM) Grant. This program requires no match and is designed to create destination tourism events. This creates funding for existing events and new events that will generate out-of-state attendance, increase visitor spending, and generate community revenue. This grant is due June 17th. The concept in Brandon would fold our Davenport Celebration into the SolarFest relaunch for a 10-day long multi-location event that would take place in mid-July with weekend bookends being the end of the Chamber Auction and Basin Bluegrass Festival and SolarFest's event on their Steinberg Road property in 2025. Mr. Moore advised this was something that was just provided to them that is from the Vermont Department of Tourism using ARPA funds available and there is no match required from the Town. The grants range from \$50,000 to \$150,000 for creating events and encouraging tourism. This will bolster Solarfest as they have not been able to relaunch what they were able to do in the past, plus to relaunch the Davenport Festival. It is an opportunity to work with community partners. The events will take place July 12th through July 19th, 2025. Mr. Moore noted SolarFest drew from out-of-state and they are looking for other local groups to put on events.

Doug Bailey thanked the sponsors and the coaches of the baseball/softball teams.

6. Appointments

Development Review Board (3-year term ending June 30, 2027) – Robert Clark

Planning Commission (1-year term ending June 30, 2025) – Neil Silins

Revolving Loan Fund Committee - 2 seats (3-year terms ending June 30, 2027)- Frank Spezzano & Tom Whittaker

Revolving Loan Fund Committee Alternate (1-year term ending June 30, 2025) – Judy Bunde

Revolving Loan Fund Committee Alternate (3-year term ending June 30, 2027) – Jack Schneider

Rutland Regional Planning Commission (1-year term ending June 30, 2025) – Jack Schneider

Seth Hopkins advised Elaine Smith reached out to the incumbents and they have indicated they would like to be reappointed. The positions had been posted and no one else had expressed interest. Doug Bailey noted Lisa Peluso's name was misspelled. Mr. Bailey read the list of current vacancies that include a constable, DRB alternate, deputy fire warden, deputy health officer, historic preservation committee position, two positions on the Otter Creek Watershed Insect Control Board and an alternate to the RRPC. Anyone interested in filling one of the vacancies is encouraged to contact the Town Manager.

Motion by Heather Nelson/Ralph Ethier to approve the reappointments as presented. **The motion passed unanimously.**

7. Select Fuel Suppliers for FY2024-2025 Based on Quotes Received

Seth Hopkins reported bids went out to 8 suppliers for #2 fuel oil and diesel, and 6 bids to suppliers for propane. The current suppliers submitted the lowest prices.

Motion by Heather Nelson/Brian Coolidge to approve Suburban Propane for propane @ \$1.535/gallon, and Champlain Valley Fuels for on-road diesel at 15 cents over Valero Rutland rack and #2 fuel oil at a fixed price of \$2.87/gallon. **The motion passed unanimously.**

8. Request for Scouting Salute to Veterans Parade on November 9th

Seth Hopkins reported he had a conversation with Roy Murdock and Sarah-Lynne Carrara regarding a scouting salute to veterans parade. They were in attendance at the meeting with Billy Gillum of the Scout Council. Roy Murdock advised they were looking for support from the Select Board to have the scouts do a parade and salute to the veterans on November 9th. They would need assistance from the Police Department for the parade, with a memorial at the center green at the end of the parade. The remainder of the details will be handled through the American Legion. They have not determined a route but would ask that the Police Department make it a safe environment for the parade. There was a suggestion of it being the same route as Memorial Day. They need permission from the Town to start making a plan. Billy Gillum stated these events have

been held all over the State and the American Legion funds the cost for the lunch. It is a teaching moment for the youth in teaching them respect for the military and veterans. It can involve police and fire departments and can also include local bands for the parade. This will be the first time it will be held in southern Vermont. Mr. Gillum stated the lunch is usually at the end of the parade and could possibly be done at the town green. The Council provides a certificate of insurance so there is no harm for the Town. All students, leaders, and participants in the parade are covered by insurance. They ask the Police Department to assist and Mr. Gillum suggested staying away from Route 7, and possibly holding the parade from a side street. The parade is usually around a mile and the seasoned veterans ride in cars for the parade. Bill Moore stated he has worked with Sarah-Lynne Carrara about logistics and suggested starting at Park Street extension and moving down Park Street. Mr. Moore volunteered to assist with the organization of the event. Mr. Gillum noted the parade would be rain or shine. Heather Nelson agreed with Mr. Moore that the route is a convenient route. Tim Guiles noted he has deep respect for people who have made decisions to fight for something they believe in but is concerned with glorifying war to young people. He has deep respect for the intent but has an issue with the event. Mr. Gillum advised that at prior events there were veterans who spoke with students and it was a teaching moment, but the intent is also to respect the people who served.

Motion by Ralph Ethier/Heather Nelson to approve a Scouting Salute to Veterans Parade on November 9th. **The motion passed with one no vote – Tim Guiles.**

Mr. Murdock noted he will reach out to Mr. Hopkins and Mr. Moore to discuss the organization of the event.

9. Letter of Support for Private Solar Array on Robert Wood Drive with Town as Offtaker

Seth Hopkins advised that a letter of support from the Select Board is important for success at the PUC hearing and the Town does plan to be the oftaker of the solar credits.

Jack Schneider reported the developer is out of Montpelier and there are no neighbors near the project and it is adjacent to the Green Lantern project. Novus Energy is looking to provide a 15% discount on electricity for the Town. They completed the solar questionnaire for the Energy Committee and it was submitted to the Planning Commission. The Planning Commission is providing information to the Select Board for consideration of a letter of support for the project.

Mr. Hopkins stated the discount would be for municipal accounts to include the wastewater. The cost the Town would be paying for power would be less and it would replace some oil-based energy.

Ralph Ethier asked if the decommissioning cost was included and whether this item is revisited to assure that it keeps up with the cost. It was noted that the decommissioning plan will be what the PUC requires. There is no bond required and they will follow the State requirement. Mr. Hopkins stated the Town won't be involved and the Brandon Industrial Corporation is working with the developer.

Janet Coolidge asked if it is the same land where the Energy Committee had wanted to place a solar project and it was confirmed this is the same land. Karen Farwell stated the Brandon Industrial Corporation is a 502(3)C and asked how the Town Manager can be a registered agent for a 502(3)C as she has never heard of that arrangement before. Heather Nelson stated the Brandon Industrial Corporation committee has only a few people and the Town Manager, whoever it is, has always been on the committee. Ms. Farwell stated he is the registered agent and this is unusual, as he has fiscal authority. Seth Hopkins stated the Select Board had wanted the Town Manager to be involved. Mr. Hopkins noted that Ms. Farwell has brought this up before and advised that this is the way the Corporation has always operated and it exists for the benefit of the community. This was a gift of a parcel of land and he is not the first town manager to be the registered agent. When he became town manager, there were only two people on the committee. Frank Farnsworth had previously indicated that he had been town manager and was also on the committee, and this is the way it has always been. Mr. Hopkins is the registered agent and he is only doing clerical things. Mr. Hopkins stated that he used his own money to file the change and noted Ms. Farwell's comments are tiresome and border on harassing of public officials. The Brandon Industrial Corporation chooses their own directors and they have a president, vice-president, and a treasurer, none of whom are Mr. Hopkins.

Motion by Tim Guiles/Heather Nelson to authorize the Town Manager to submit a letter of support to the PUC for the Novus solar array project on Robert Wood Drive. **The motion passed unanimously.**

10. Repeal of Act 250 Jurisdiction Ordinance Requiring One-Acre Review

Seth Hopkins stated if the Board takes action to repeal the Act 250 ordinance, the BLUO and Brandon subdivisions will still be in effect. Every parcel will still be subject to those requirements at the town level and enforced by the Town's Zoning Administrator. If repealed, it indicates that for parcels under 10 acres there is not the requirement to go through a full Act 250 process. Doug Bailey noted a number of years ago he subdivided his acreage and had to follow both the Town's regulations and Act 250. All Act 250 did was delay things for a year and cost him more money. The State is acknowledging that Act 250 is old and he is in favor of the change.

Motion by Tim Guiles/Heather Nelson to approve the repeal of the Act 250 Jurisdiction Ordinance requiring one-acre review.

Brian Coolidge did not see the need to push this through and suggested waiting until the changes at the State level. Tim Guiles stated housing is an issue and impediments need to be removed to allow housing to happen. He stated Act 250 does play a role at the scale it is designed for and this will allow affordable housing more readily. Mr. Guiles noted the current laws allow more density within walking distance to downtowns and in removing this requirement it will allow people to build where they want to. Seth Hopkins stated this is not related to the current reform to Act 250 at the State level. This has come up from the present Planning Commission and Zoning Administrator, and prior ones, and the RRPC. The situation is something the Economic Development Officer has indicated is an impediment to businesses and the Town still has controls. Ralph Ethier noted he has a business on Pearl Street that was grandfathered and he would not have had a business if it had not been, as he would not have gone through Act 250 and he felt this is a good change. Faith Daya was concerned with commercial businesses that could be detrimental to the environment and asked if this would provide a loophole with no due diligence that Act 250 would provide. Mr. Hopkins provided an example of the parcel that has a car wash and fuel station that was under one acre and did not have to go through Act 250, but they had to go through State permitting that a business would have to go through that is outside of Act 250. Mr. Hopkins stated the options that are given under Act 250 is either a one-acre or ten-acre town. Bill Moore stated there is a lot of oversight with the BLUO and a map that designates where development can happen and anything that does not conform to that has to go to the DRB. If someone does not agree with a DRB decision, they can go through the environmental court. Doug Bailey stated the Town is trying to encourage development and new business to encourage growth to help the tax base. Vicki Disorda asked if it is only the abutting people that can contest at the DRB level. Mr. Moore stated he did research to determine the zoning fees and advised there is the ability to change the fees. He also noted that one does not have to be an abutter to appeal a decision. It is a \$100 charge to appeal a zoning permit. Karen Rhodes asked if it is the DRB that does redesignations and it was noted that it is the Brandon Planning Commission that is making an amendment to the BLUO. Ms. Disorda asked if someone who could benefit from the change should recuse themselves from the vote. Seth Hopkins advised that if there is an actual gain or conflict of interest the members of the Select Board can choose to disclose and can recuse from voting. Mr. Hopkins stated the whole Select Board can act unless there is a direct conflict of interest. Heather Nelson questioned if Ms. Disorda had specific concerns and she noted that she would rely on the personal ethics of the Board.

The motion passed with one no vote – Brian Coolidge.

11. Consider Changes to Holiday List in Personnel Policy

Seth Hopkins recommended the following changes to the Holiday List in the Personnel policy: remove the day before Christmas Floating holiday and replace it with Juneteenth (June 19th) as this is a State holiday, change Columbus Day to Indigenous Peoples Day and change the 4th Friday of November to the Friday after Thanksgiving as this is not always the 4th Friday.

Mr. Hopkins read the following regarding Juneteenth:

“Juneteenth...is a federal holiday in the United States. It is celebrated annually on June 19 to commemorate the ending of slavery...on June 19, 1865, ...the final enforcement of the Emancipation Proclamation in Texas at the end of the American Civil War. – Wikipedia. Juneteenth marks our country's second Independence Day. Although it has long been celebrated in

the African American community, this monumental event remains largely unknown to most Americans. The historical legacy of Juneteenth shows the value of never giving up hope in uncertain times. – National Museum of African American History and Culture”

Motion by Tim Guiles/Heather Nelson to approve the changes to the Holiday List in the Personnel Policy as recommended. **The motion passed unanimously.**

12. Public Comment and Participation

Bill Moore reminded everyone to vote tomorrow.

Heather Nelson noted the recent Otter Valley Walking Stick Theatre play was amazing.

The Board recessed at 8:34PM.

The Board reconvened at 8:45PM.

Motion by Heather Nelson/Doug Bailey to move that premature general public knowledge of the pending contract negotiation with New England Police Benevolent Association Local 422 will clearly place the Town of Brandon at a substantial disadvantage by disclosing its negotiation strategy. **The motion passed unanimously.**

Motion by Heather Nelson/Dough Bailey to enter into executive session at 8:46PM to discuss the Town’s pending labor relation agreement with New England Police Benevolent Association Local 422 per 1VSA 313(a)(1)(b) for labor relations agreements with employees, with the session to include the Town Manager. **The motion passed unanimously.**

13. Executive Session

The Board came out of executive session at 9:10PM. No action was required.

14. Adjournment

Motion Brian Coolidge/Tim Guiles to adjourn the Select Board meeting at 9:10PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary