

MINUTES OF AUGUST 11, 2025

SELECTBOARD

Selectboard Members Present: Doug Bailey, Cecil Reniche-Smith, Ralph Ethier, Brian Coolidge, Jeff Haylon

Others Present: Seth Hopkins, Bill Moore, Brent Buehler, Gerad Lowell, Barry Varian, Janet Coolidge, Steven Jupiter, Vicki Disorda, Todd Nielsen, Tricia Welch, Tim Guiles, Jack Schneider. By Zoom: Pam Douglas, George & Carol Fjeld, Billy Bullock & Linda Gebhard.

- 1 Chair Doug Bailey called the meeting to order at 7PM. All selectboard members were seated. Motion by Coolidge/Reniche-Smith to adopt the posted agenda. Voted 5-0.
- 2 Selectboard Members' Remarks: Chair Bailey offered customary remarks on the importance of civility.
- 3 Recurring Matters: The following were moved by Haylon/Reniche-Smith as a consent agenda. Voted 5-0.
 - a Minutes of combined boards — July 28, 2025
 - b FY26 Check Warrant / Orders on the Treasurer
 - c Approve special event liquor permits issued by Town Clerk
 - i #63186 – BABBs LLC., Fran Bull Studio, 685 Arnold District Rd, Wedding Aug 9, 2025 4PM — 10PM
 - ii #63584 – Common Ground Restaurant & Pub LLC, National Bank of Middlebury, 6 Park St, Brandon Chamber of Commerce Mixer, Aug 5, 2025, 4PM — 5:30PM
- 4 Reports and updates to the selectboard from the town management team (town manager Seth Hopkins and deputy town manager and community development director Bill Moore) were accepted with some public comment appreciative of continuous incremental improvements when “big swings” are not part of the plan.
- 5 The annual Green Fleet report published in the meeting packet was presented to the board by Tim Guiles who expressed his appreciation to Elaine and Jackie at the town office for the information needed to create a fact-based analysis. Brandon has made good progress toward the State-set goals.
- 6 On motion of Reniche-Smith/Coolidge, the board accepted the assessment and analysis report from DuBois & King on the replacement options for the North Street bridge. Voted 5-0.
- 7 Setting terms for members of the Historic Preservation Commission: The following were voted 5-0:
 - a Motion by Bailey/Coolidge (amended by Bailey/Ethier) to appoint the following:
 - i Shirley Markland to a one-year term (exp 2026)
 - ii Frank Bump to a one-year term (2026)
 - iii Vicki Disorda to one year remaining of a three-year term (2026)
 - iv Dennis Reisenweaver to two years remaining of a three-year term (2027)
 - v John Peterson to three years remaining of a three-year term (2028)
 - b Motion by Reniche-Smith/Coolidge that Historic Preservation Commission terms end on June 30.
- 8 Cecil Reniche-Smith presented her research on the Town's present practice regarding the budget advisory committee and its compliance with state statutes, particularly 17 VSA § 2646 and 24 VSA § 1147. The following were voted 5-0:
 - a Motion by Bailey/Haylon not to appoint a budget committee in 2025 for FY27 budget planning
 - b Motion by Reniche-Smith/Haylon to bring a public question to the floor of Town Meeting March 2, 2026 asking “Shall the Town of Brandon create an advisory budget committee per 24 VSA § 1147 whose duty shall be to evaluate the Town's budget and make recommendations to the selectboard for the budget based on its findings?”
 - c Motion by Reniche-Smith/Haylon to bring a second public question to that Town Meeting, pending outcome of the first, asking “Shall the budget advisory committee members be appointed by the selectboard?”
- 9 Cecil Reniche-Smith led a discussion of the ordinance review process, with public comment (notes below). Motion of Bailey/Coolidge to appoint a working group of Cecil Reniche-Smith and Jeff Haylon to review the existing ordinances and bring them to the selectboard in public meetings for further review and any revision and action the selectboard deems in the best interest of Brandon. Voted 5-0.

10 Public Comment was heard (notes below).

11 Motion by Haylon/Coolidge to enter executive session per 1 VSA § 313 (a) (3) regarding employment of a staff member, to include the town management team. The board entered executive session at 8:42PM.

Motion by Reniche-Smith/Haylon to exit executive session at 9:06PM. No action was required.

12 Second warned executive session was not needed. Omitted.

13 Motion by Coolidge/Haylon to adjourn. Not debatable. Voted 5-0. 9:07PM.

Respectfully submitted,



TOWN MANAGER'S UPDATES DELIVERED AT 12 AUGUST 2025 MEETING

FOR COMMUNITY AWARENESS

- Volunteer board seats open: Development Review Board Alternate; Planning Commission Alternate; Energy Cmte. Apply to town manager for consideration by selectboard.
- Trustees of Public Funds will meet this Tuesday at 7PM in this room
- Brandon Workbook working group of the Historic Preservation Commission will meet this Tuesday at 6:30PM at the town office second floor conference space. Note this is a change of venue from what was previously posted.

PUBLIC WORKS MISSION

- Cara Boudreau in our wastewater treatment department has accepted another job offer, and we are sorry to see her go. We will be re-posting this position.
- The Town crew constructed some head-in parking spots near the basketball court in the Seminary Hill Park & Playground. The ledge lower down the hill means the spots near the dog park will need to remain parallel parking. We will order signage to direct drivers away from U-Turning in neighboring front yards.
- The hands and numbers of the town clock have been found to be gold-leaf on plywood which is in a moderate state of deterioration. It is unknown whether the originals were metal or wood. Clearly the originals were not plywood. The steeplejack will be bringing us a proposal for fabricating visually-similar replacements. Dan Snow advises today he will wait for the steeple work to be completed and then will work some more on the broken clockworks.

PUBLIC SAFETY MISSION

- Chief Kachajian has a firearms dealer who will consider our current service weapons in trade as we look to replace them (see details in my report).

ADMINISTRATION & FINANCE MISSION

- The Town received its quarterly Local Option Tax revenue in the amount of \$88,003.61. Again this is a new record, not just for this quarter of the year, but for any quarter of any year. **The 1% tax has now generated more than \$2 Million for selectboard-directed capital investment in the Town of Brandon.** It is an ongoing capital revenue stream and represents **meaningful property tax relief.** The \$69,210 voted at the July 28 meeting to close the gap in Town Hall roof reslating is now fully recovered and then some.
- The tax sale update is that letters from the attorney are being prepared for the lien holders. These are often banks, etc., who may clear the tax arrearage to remove the property from tax sale.

COMMUNITY DEVELOPMENT MISSION

- The Town's 2005 Itinerant Vendor Ordinance is in force under authority of 24 VSA § 2291 (9). It allows for door to door sales. A vendor recently met the requirements of the Town's ordinance and application and I issued him a permit to sell educational products door to door. My reading of the

statute is that the Town can regulate (set conditions on) but cannot prohibit door to door sales. I realize this is no longer common but it is lawful commerce in Vermont.

Respectfully submitted,



Seth M. Hopkins, Town Manager

The nature of discussion at this meeting is provided below as captured and digested by artificial intelligence. If further detail is required, the Zoom recording of the meeting is posted on the Town website. Notes on Combined Board (Selectboard and [as needed] Liquor Control, Cannabis Control, Sewer Commission, and Board of Health) Meetings

Notes on Selectboard Meeting

Created on August 11, 2025 at 7:00 PM by Minutes AI

1 Agenda Adoption

- Motion to adopt the agenda as posted was made and seconded.
- All in favor.

2 Select Board Member Remarks

- Remarks to be respectful and treat everyone with respect.
- Select board packet is very deep tonight.

3 Consent Agenda

- Motion to move items 3A, B, and C to a consent agenda was made and seconded.
- All in favor.
- Items include minutes, warrant, and liquor licenses.

4 Town Manager's Report

- Last year's budget status appears to have a surplus of \$144,000.
- This year's operating budget expenses appear to be on pace.
- Volunteer board seats are open on the Development Review Board, Planning Commission, and Energy Committee.
- Trustees of Public Funds will meet tomorrow at 7pm.
- Brandon Workbook working group of the Historic Preservation Commission will meet tomorrow at 6:30pm at the town office.
- Cara Boudreau resigned from the wastewater treatment department.
- Town crew constructed head-in parking spots near the basketball court at Seminary Hill Park.
- Historical artifacts: hands and numbers of the south face of the town clock.
 - Made of gold leaf applied to plywood.
 - The steeplejack is going to present options for replacing the hands and numbers.
- Dan Snow will work on the clockworks after the steeple work is completed.
- Chief Kachajian is finding a firearms dealer to take current service weapons in trade.
 - There is a safety concern with the current weapons.
- The town received its quarterly local option tax revenue in the amount of \$88,003.61.
 - The 1% tax has now generated more than \$2 million for select board directed capital investment.
- Tax sale update: letters have been sent to property owners and are being prepared to go out to lien holders.
- The town has an itinerant vendor ordinance that allows for door-to-door sales.
 - The town can regulate door-to-door sales but cannot prohibit them.

Questions for Mr. Hopkins

- Doug Bailey said his wife has gold leafing and is willing to make an attempt to rework any of the clock pieces.
- Congratulated the town on the amount of local options tax.

Mr. Moore's Report

- Thanks to Youth Works volunteers, the Highway Parks Department staff, the wastewater department, and Fire District No. 1 assistant operator Brad Danforth, water fountains have been installed at Seminary Hill Park.
- Work was performed on parking areas using recycled mill asphalt.
- Other projects completed by Youth Works included cleanup of garages, painting of sheds and bathrooms, painting of picnic tables, weed control, removal of decorative flags, painting over graffiti, spreading of wood chips, cleaning out graffiti on the Sanderson Bridge, gluing on floor protectors, painting of the display board, rolling of leftover T-shirts, and sorting of football equipment.
- The lights at the Otter Valley north campus space have been replaced for pickleball.
- Floor hockey is coming back on September 7th.
- Archery with Melinda is set to resume on September 17 at the rec field at the Neshobe School.

Questions for Mr. Moore

- Barry Varian Commended the management team for shepherding small projects.

5 Green Fleet Presentation from Tim Guiles

- Green Fleet is a factual tool for decision making.
- A warming atmosphere creates more intense storms.
- State of Vermont goals: 26% reduction in 2025, 40% reduction in 2030, and 80% reduction by 2050.
- Data is available from Jackie and Elaine in the town office.
- Environmental things are economic, which means that they'll help save the town money.
- The town has pretty close to met its 2025 mark.
- Gas footprint went down a lot because the police department declined a lot.
- Urged to continue to think of electric alternatives for police cars.

Electric Vehicles and Green Initiatives

- The width of the seat was a reason for not going electric with the newest police vehicle.
- The town hall switched from heating oil to propane, which is cleaner.
- A new highway garage would save energy because the current one is not well-insulated.
- Electric alternatives to diesel-powered heavy equipment exist in Europe and will be available in the future.

Questions and Targets

- Question about whether Daimler trucks makes electric vehicles.
 - Speaker will look into it.
- 26% reduction target was 244, and the town made 249.
- 40% reduction target for 2030 is 198.

Wastewater Facility and Natural Gas

- Better insulation in town buildings, especially the wastewater facility, is a potential area for improvement.
 - A grant to improve the wastewater plant was not awarded.
- Question about the difference in emissions between natural gas and diesel.
 - Speaker will look into it, but believes natural gas is cleaner.

Biodiesel and Report Appreciation

- Biodiesel is a slightly cleaner lifetime fuel, but there have been procurement problems.
- Black Bear Biodiesel is a manufacturer of biodiesel.
- The Select Board appreciates the report.
 - "It's worth reading the whole report. Tim did a really good job packaging it all in a way that's very easy to understand."

6 North Street Bridge Replacement Design Options

- A 170-page report on the North Street Bridge replacement design options is on the town website.
- Three options:
 - 31-foot span bridge (traditional construction) - \$1.8 million
 - 36-foot conspan (bridge/culvert hybrid) - \$1.7 million
 - Aluminum box culvert (similar to Cobb Hill culvert) - \$1.5 million
- Engineers recommend the aluminum box culvert due to its cost efficiency and similar performance in flood events.
- No construction grants are currently available.
- The board accepts the report.

7 The Historic Preservation commissioners requested fixed terms instead of indefinite terms.

- Suggestion to mirror the Select Board terms: three 3-year seats and two 1-year seats.
- Current commissioners: Shirley Markland, Dennis Reisenweaver, Frank Bump, John Peterson, and Vicki Disorda.
- Shirley Markland requested a one-year term.
- Vicki Disorda, present, has no preference.
- Motion to appoint:
 - Shirley Markland: one year
 - Frank Bump: one year
 - Vicki Disorda: one year remaining of a three year seat
 - Dennis Reisenweaver: two years remaining of a three year seat
 - John Peterson: three years of a three year seat
- Terms will expire on June 30th.

Vote Results

- All in favor of having this go to June 30 each year, say I oppose.
- If anyone leaves, the position will be filled.
- Still considering changing how some of that is done.

8 Restructuring the Advisory Budget Committee (Cecil Reniche-Smith presenting findings of her research)

- Restructuring the advisory Budget Committee to comply with state law.
- For the last 11 years, the town has not been complying with state law.
- In 2013, the legislature started discussing the issue that there were towns in Vermont that had committees that didn't seem to spring from any statutory authorization.
- Vermont League of Cities in town had done a poll, and some towns had gotten back to them about committees they had.
- Among those committees that some towns had that didn't seem to have statutory authorization were budget advisory committees or advisory budget committees, as the legislature called them.
- They amended 17 VSA Section 2646, which governs the election of town officers.
- The statute states that at the annual meeting, the town shall choose among its legally qualified voters the following town officers who shall serve until the next annual meeting until successors are chosen, unless otherwise provided by law.
- The statute lists several different kinds of town officers.
- They added a new section to that subsection 18 that provides five members of an advisory budget committee if the town so votes.
- The advisory budget committee shall be elected by ballot unless the town votes to have those members appointed by the select board.
- The town has not been electing town budget committee; it's been by appointment.
- Whether or not the town will have a budget advisory committee is something that would be presented at town meeting for a floor vote.
- Whether or not the budget committee's members would be elected or appointed would also be the subject of a floor vote.
- At the next town meeting in March 2026, there would be a floor vote as to whether to have a budget advisory committee and whether they shall be elected or appointed.
- If the night of the floor vote, it is determined that the budget advisory committee members will be elected the next day, candidates will need to be on the ballot.
- Now is the time for people who are interested in being on the budget advisory committee, if the town votes for them to be elected, to think about whether they want to be on the ballot to be elected to a budget advisory committee and do what it takes to get on the ballot.
- You need to get a petition with a certain number of signatures on it (30).

Compliance with the Law

- The town of Brandon in 1939 did vote to have a budget advisory committee.
- In 2013, the law changed, saying that you needed to elect these people unless you went to your voters and asked them to be appointed.
- To easily get back into compliance with the law:
 - For this year, not technically have a budget committee, because this has been handled as an open meeting anyway, with everyone coming.
 - Invite everyone to do it exactly the same as last year, that everyone would come, talk, have input, and come out with a budget.
 - There just would not be a definite assigned name that you're a budget advisory committee person to do that.
- To then make it legal that at town meeting:
 - Question one would say, do we want to have a budget advisory committee? Yes or no?
 - If they say no, we're done.

- If from the floor the answer is yes, then you go to question two, which is, do we want the select board to appoint the budget committee? Yes or no?
- If the answer is yes, then we're back to what we did last year.
- If they say no to that, then people should get their petitions in if they want to be on the advisory committee, in case there's an answer that says, we don't want the Select Board to do this. We want the voters to do this.
- If five people do not file a petition and only four do, then it's considered an open position, in which case the Select Board would then appoint that one additional spot.
- It's a way that gets us back into legal compliance with Vermont state law that we have never been advised of in any manner.

Responsibilities of Budget Committee

- Public comment: If you're going to have a budget committee, it seems like you have to, especially if it's going to be elected and it's going to be in statute where it's going to exist, define what those responsibilities are.
- The legislature has done that.
- If a municipality creates an advisory budget committee as provided in 17 VSA 2646, the Committee shall evaluate the municipality's budget and make recommendations to the select board for the budget based on its findings.
- The committee could take last year's budget and look at it and from that derive recommendations for the coming budget.
- Another way to look at it is the select board develops the budget all on its lonesome with public participation, and then presents that to the advisory committee which then makes its recommendations.
- Having a committee does not preclude the board from taking information from people who come and participate.

Concerns About the Process

- Public comment: We absolutely should do whatever is necessary to get compliant.
- It sounds like it could be confusing when it comes together in March.
- Consider doing it in two steps where this year we vote on do we want to have a committee and how do we pick them?
- If it's decided that they are elected, then next year, wait a year.
- If a town meeting night, the town decides they want, they want the board to select the members, the next day, people on the ballot get elected.
- Another scenario could happen where people get elected to a position that doesn't exist.
- If the town decides not to have a board the next day, people get elected into a position that doesn't exist.
- If people are elected and it's decided that they should be selected and the people that were elected don't get selected, then the voters might feel as though they were disregarded.
- If you guys did decide to go the very way and do it in two steps, at the point of if the voters and the floor say yes, we want, we wanted elected positions, you guys would still be in the position of filling unfilled seats.
- Creating the budget committee and saying that they shall be elected prevents the Select Board from appointing a five member committee.
- If we elect to have a five member committee who are elected but there are only four candidates, then we have a committee with elected officials, but there is a vacant seat, then the board might be able to fill that seat.
- If you have to take out a petition and get some of these signatures and then have your name printed on the ballot, that means you have to like go out and sort of campaign to be on that committee.
- If the night before it's voted that either there's not going to be a committee at all or it's going to be appointed, then you've kind of done all this hoo ha in the community to go out and campaign all this when it's really a moot point and the ballots are really not valid.
- If there's a budget committee, they would get last year's budget and go through it and then make recommendations, are you saying they would do that separately and then just come back with recommendations, or it would be the way that we've been doing it, where it's more: We all do it together, page by page.
- The state law dictates the duties of the Budget Committee, which are to take the budget and report its analysis and findings to the Select Board.
- It would be very hard because we would not be able to have all the people come in and give us all the information about how things may have changed or not changed or explain this line item.
- The process that we've used has been a really good one because it is open to everybody and anybody can make comments.
- The plus of the Budget Committee was those people, those five people committed to come to every budget meeting.
- Last year was substantial number of meetings where people can come to one meeting and not show up, you know, because they don't have to for X number of meetings and then come in.
- We can't always back up all the way back to what somebody wanted to talk about.
- Sue had given us an example from actual life and Brandon, where that happened, where we used to elect the constables a first and second constable and the constables were on the ballot, but the night before the town meeting voted to do away with elected constables.

- Those two positions were still on the ballot.

Budget Committee Discussion

- A race was not counted because it was a provisional ballot pending the outcome of the town floor vote.
- Concerns were raised about people feeling like they wasted their time getting signatures and campaigning.
- One option to avoid uncertainty after the floor vote is to have the vote on a separate sheet of paper than the regular ballot.
 - Sue has concerns about this being cost-prohibitive.
- The first Budget Committee met without the Select Board, and only with the town manager.
 - The Budget Committee made recommendations to the Select Board, who accepted some and rejected others.
- In 1939, the town voted to have a taxpayer board that the select board was required to submit budgets to 60 days before town meeting.
 - The town also voted to borrow \$40,000 in 1939 to clear up past budget deficits.
- The vote to create a budget advisory committee and determine whether they are elected or appointed is a one-time thing as long as it is followed.
- A suggestion was made to punt the ballot for any new budget committee to the November 2026 election.
 - The statute calls for them to be elected at the annual meeting.
- A motion was made to not have a budget advisory committee for the year 2025.
 - This motion was approved.
- A motion was made to put to the floor vote at the town meeting in March 2026 whether the town should have an advisory budget committee.
 - This motion was approved.
- A motion was made to have a floor vote at the town meeting in March 2026 as to whether the budget advisory budget committee should be appointed by the select board.
 - This motion was approved.

9 Ordinance Review

- Cecil has completed a review of the ordinance section.
 - She looked at each ordinance and determined when it was enacted.
- The Act 250 jurisdiction ordinance has been superseded because the town passed another one that made them a 10 acre town.
- The animal control ordinance may need to be updated to address the new state statute regarding animals, livestock running at large.
- The next step would be to have a working group of two select board members.

Short Term Rentals

- Need to address the issue of short term rentals like Airbnb and Vervo.
 - This would require a working group.
 - The working groups would then present a recommendation to the select board.
 - It would still have to be discussed at an open meeting with public comment.

Legislation

- Legislation is often brought to legislators by lobbyists who have a completed act and ask the legislator to sponsor it.
- The select board does the heavy lifting of deciding if this is what they actually want it to say.
- The goal is to have the ordinances updated, compliant with state law, addressing issues that towns are allowed to address, and in a format that is easily understandable and accessible.

Ordinance vs. Policy

- Policy is something that the select board passes for the staff or other boards to follow.
- An ordinance is something that the select board passes that everybody in Brandon has to follow.
 - Ordinances are outward facing.
 - Policies are inward facing.
- The state has set out the areas that municipalities can enact their ordinances about.

Ordinance Amendments

- If making amendments, provide red line copies showing strikethroughs of what's being deleted and underlines of what's being added.
- If repealing an ordinance in full, provide the ordinance that is recommended for repeal.
- The particular ordinance being addressed that evening will be listed on the agenda item.

Working on Ordinances

- Jeff and Cecil will work on the ordinances.
- The board chair will be the presenter of information, and then it will be discussed openly with the public and voted on.
- The aim is to make life easier for people who need to follow ordinances and to get the ordinances formatted in the computer for everyone to be able to find anything they want easily in one spot.

Trustees of Public Funds

- The first meeting of the new board of trustees is tomorrow night at 7 o'clock.
- The Brandon Workbook working group of the Historic Preservation Commission is also meeting tomorrow.
 - The trustees of public funds are going to meet in this room at 7 o'clock using the select board's zoom connection.
 - The working group for the Brandon workbook is going to meet upstairs at the town office at 6:30 using the planning commission's zoom connection.

Scheduling Conflicts

- It's not typical for two different groups to be meeting at the same time.
- People have been good about emailing ahead of time to check if a date works.
 - There is a Google Calendar that manages the downstairs and upstairs space.
- All town committees and commissions are encouraged to set regular meetings.

Google Calendar Accessibility

- Make the Google Calendars accessible online so people can see what's available before scheduling meetings.
- The technology is there to do that.