

Minutes of December 14, 2015 Regular Select Board Meeting.

Present: Board Members Bill Hall, Carl Russell and Lisa Hill. Others present: Town Manager Keith Arlund, Lucien Hinkle, Julie Nelson, Dave Eddy, Geneva Gaiko, Maurice Brigham, Judith Brigham, Paine Morgan (All Earth Renewables), Joel Rhodes, Jessica Walsh (SunCommon), and Rebecca Stone.

Chairman Hall called the meeting to order at 6:00 PM.

Mr. Eddy requested that the Board move agenda item #4 under reports to the first due his presence being required at a school board meeting. The Board agreed to the change.

Public Comment: There were no comments.

Appointments: Rebecca Stone briefed the Board on the idea of Do-it-Yourself Community Design Festival to be hosted by the Town of Bethel. She intends to apply for a grant from the Citizens' Institute on Rural Design to host a 2 ½ day community design workshop for towns in the Upper White River Valley region. She requested a letter of support from the Select Board and other in-kind support from the Town staff and departments. It was the consensus of the Board that it would support the concept and directed to the Town Manager to draft a letter of support for the grant application that is due January 12, 2016. The Board considered this an opportunity to encourage continued civic engagement in the town and community as a whole.

Reports, Motions and Ordinances:

1. Review of Enterprise Fund Draft Budgets: Water, Wastewater, Solid Waste. Arlund briefed the Board on the basic parameters of the three fund budgets. He noted that salary increases were budgeted with a 3% increase as with the General Fund. The electricity line items in each is the same as last year pending an analysis of the benefits of the Town's participation in the Royalton solar project. It was noted that user fees fund the expenditures in all enterprise funds and that the revenue lines for water and wastewater are based on Equivalent Units as set forth in State environmental rules. The Alliance Surcharge is the amount billed to each town participating the alliance on a per capita basis. Arlund also noted that the Chief Operator of the wastewater system is now on a salary which will eliminate overtime in that position. He also noted that he was evaluating a sludge disposal proposal from a contractor to replace the land application program. The State will not allow the use of fields previously permitted for this use.
2. Discussion re. Capital Planning and Municipal Infrastructure Expenditures. Hall stated that he is continuing to work overall capital plans including the current Financial Capacity and documentation of capital reserve and equipment reserve accounts for the highway and fire departments. Future debt obligations will be figured into this analysis together with the potential impact on the tax rate. Arlund stated that the road assessment and inventory will provide a fiscal plan for paved road improvements. He is also considering the use of sealcoating to extend the life of paved roads in addition to required rehabilitation and paving. Hall stated that the Alliance board is working on an equipment replacement program similar to the highway department. Russell stated that these plans should also include study of the highway garage and town offices. We should consider the locations of all facilities while investigating the design of proper buildings. Lucien Hinkle commented that the budget has increased since 2010 and he hoped that "want lists" could be pared down in consideration of the tax rate.
3. Approval of Tax Anticipation Note (TAN). Arlund noted that the previous TAN was not used and would be cancelled and this new note would be in place for the current year. The new note is necessary to fund current expenditures since only two quarters of property taxes have been billed. Motion by Hill, second by Russell to approve. Motion passed unanimously.
4. Review of Proposed Solar Projects.
 - a. Update re. Bem-Ti-Vi LLC Project for 1037 Christian Hill Road. The Chair recognized Paine Morgan from All Earth Renewables, Inc., the firm that will build and install the project. Morgan noted that this application is down-sized from the original 500kW to 150kW. This is considered a one acre, commercial size project with 25 blue colored panels that track the sun.
 - b. The Chair then recognized Joel Rhodes and Jessica Walsh from SunCommon the company building the other solar project on Christian Hill. Rhodes stated that this project is a one acre project referred to as a "Community Solar Array" (CSA) that allows citizens to join with a fixed monthly membership fee that could not afford

their own individual systems. This project can accommodate approximately 30 homes in the area. Rhodes indicated there will be six more months of planning and there would be outreach to concerned neighbors and property owners. The Chair then opened the floor to discussion from the audience.

Julie Nelson submitted a petition to the Board requesting that the Board notice and move to intervene in the PSB Act 248 process for both solar projects on Christian Hill. Dave Eddy then read a letter to the Board dated December 6, 2015. (A copy of the letter is attached hereto.) Hall noted that the board is allowed by 30 VSA 248 (B)(5) to comment and request a hearing before the PSB if it feels that the project will have “an undue adverse effect on esthetics, historic sites, air, water purity, the natural environment, the use of natural resources and the public health and safety.” Their primary concern is that these projects are a larger scale and are not in conformance with current town plan. Mr. Brigham asked if there would be an adverse impact on adjacent property values and how these facilities would be taxed. Hall noted that property value assessments will need to be conducted by the Bethel Listers as projects are completed. Russell stated that he had questions that were probably best addressed in an executive session since there is potential litigation involved in any formal request to intervene before the PSB. There being no other discussion on the subject Hall thanked all for their input.

5. Review of Ancient Road Criteria. Arlund provided the Board with an updated list of criteria in chart form based on previous discussions. Arlund will continue to develop the check list and agenda for a future meeting.
6. Town Manager’s Report: Arlund reported that he had met with the State bridge inspectors and DuBois & King on status of BR #33 on Lilliesville Brook Road. Arlund reported that the DuBois & King will prepare a preliminary investigation, report and cost estimate for the fee of \$4,300.00 that will be used to apply for a State Structures Grant to design and repair the bridge. The Board agreed to this proposal. Arlund will complete the letter to the State informing them of our plans for repair.
7. Minutes and Communications:
 1. Select Board minutes for November 23, 2015. Motion by Russell, second by Hill to approve. Motion passed unanimously.
 2. Committee Minutes. The Board acknowledged receipt of minutes from the Conservation Commission, the Planning Commission, the Solid Waste Management Board, and the Town Meeting Committee. It was noted that Tom Warhol has resigned and that he was a valuable member of the Conservation Commission. Russell stated that he would like to review Town Meeting Committee recommendations with Abbie Sherman at the next meeting when the draft Town Report would be available.
 3. Other Communications. The Board received letters from Two Rivers-Ottawaquechee Regional Commission, the VLCT, the Green Mountain Economic Development Corporation and the VT Rural Fire Protection Task Force. Two letters were also received from VAST and the local snowmobile club regarding the loss of the Kellogg property. Mr. Kellogg was advised by the Town Manager to request an abatement hearing from the Town Clerk.

Russell moved to enter Executive Session for potential litigation, second by Hill. Motion passed the Board entered the session at 7:38 PM. The Board came out of Executive Session at 7:57 PM on motion of Russell, second by Hill.

Russell moved to have the Select Board formally oppose both projects by filing a Notice and Motion to Intervene in the PSB hearings. There was no second.

Hill moved to have the Board draft and send a letter to the PSB expressing concern for the siting, esthetic mitigation and allowance for more participation by the Town in planning for both of these solar projects. Second by Russell. Arlund will draft the letter.

There being no other business for the Board Hill moved, second by Russell to adjourn. Motion passed and the Board adjourned at 8:02 PM.

Bill Hall

Carl Russell

Lisa Hill