

A VIDEO RECORDING OF THE MEETING IN ITS ENTIRETY IS AVAILABLE THROUGH VERMONTCAM.ORG. THE WRITTEN MINUTES ARE A SYNOPSIS OF THE DISCUSSION AT THE MEETING. MOTIONS ARE AS STATED BY THE MOTION MAKER. MINUTES SUBJECT TO CORRECTION BY THE SHELBURNE SELECTBOARD. CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE BOARD.

**TOWN OF SHELBURNE  
SELECTBOARD  
MINUTES OF MEETING  
March 12, 2019**

**MEMBERS PRESENT:** Jerry Storey, Jaime Heins, Mary Kehoe, Colleen Parker, Mike Ashooh.  
**ADMINISTRATION:** Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Colleen Haag, Treasurer.  
**OTHERS PRESENT:** Sara and Tom Tompkins, Linda Riell, Susan and Dave McLellan, Doris and Don Porter, Vivian Jordan, Sean Moran, Neil Curtis, Catherine Collette, Paul Irish, Anne Bentley, Rick Brigham, Cate Cross, Andrew Everett, Doris Dahe.

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**1. CALL TO ORDER**

Town Manager, Lee Krohn, opened the meeting at 7 PM and welcomed recently elected Selectboard member, Mike Ashooh.

**2. APPROVE AGENDA**

**MOTION by Jaime Heins, SECOND by Mary Kehoe, to approve the agenda with the addition as Item 11.a of discussion of forming an economic development committee. VOTING: unanimous (5-0); motion carried.**

**3. ANNUAL ORGANIZATIONAL MEETING**

*Election of Chair*

**MOTION by Colleen Parker, SECOND by Jaime Heins, to nominate Jerry Storey as Chair. There were no other nominations. VOTING: 4 ayes, one abstention (Jerry Storey); motion carried.**

Jerry Storey is Chair of the Shelburne Selectboard and assumed facilitation of the meeting.

*Election of Vice Chair*

**MOTION by Mary Kehoe, SECOND by Colleen Parker, to nominate Jaime Heins as Vice Chair. There were no other nominations. VOTING: 4 ayes, one abstention (Jaime Heins); motion carried.**

Jaime Heins is Vice Chair of the Shelburne Selectboard.

*Confirm Regular Meeting Dates/Times/Locations*

**MOTION by Colleen Parker, SECOND by Mary Kehoe, to confirm the regular meeting dates for the Selectboard as the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday of the month convening at 7 PM in the Town Center. VOTING: unanimous (5-0); motion carried.**

*Designate Accounts Payables/Payroll Warrants for Selectboard*

Finance Director, Peter Frankenburg, said the schedule for board member assignments will be provided at the next meeting.

*Designate Newspaper of Record*

**MOTION by Colleen Parker, SECOND by Mary Kehoe, to designate *Shelburne News* as the newspaper of record. VOTING: unanimous (5-0); motion carried.**

*Adopt Rules of Procedure*

Minor edits/corrections were noted (paragraphs 15 and 16 are duplicates, paragraph 8, 2<sup>nd</sup> sentence, should say “add item to the agenda”, and posting 24 hours for a special meeting should be added).

**MOTION by Colleen Parker, SECOND by Jaime Heins, to approve the Rules of Procedure as amended. VOTING: unanimous (5-0); motion carried.**

*Appoint Tree Warden*

**MOTION by Mary Kehoe, SECOND by Jaime Heins, to appoint David Hall as the Shelburne Tree Warden. VOTING: unanimous (5-0); motion carried.**

**4. MINUTES**

*February 26, 2019*

**MOTION by Mary Kehoe, SECOND by Colleen Parker, to approve the 2/26/19 minutes. VOTING: 3 ayes, 2 abstention (Jaime Heins, Mike Ashooh); motion carried.**

**5. PUBLIC COMMENT and LIBRARY/TOWN CENTER UPDATE**

There were no comments.

**6. SELECTBOARD COMMENTS**

- Thanks were extended to Diana Vachon and Tom Little for their role in the annual Town Meeting. Shelburne Community School was also thanked for use of the space at the school for the meeting.
- Mike Ashooh thanked everyone for electing him to the Selectboard. Mr. Ashooh said he is looking forward to serving the town.
- Mary Kehoe commented on the waiving of the stipend for the Selectboard, explaining that this was a symbolic decision to let the town know that the Selectboard is willing to bend like the townspeople are being asked to bend. It was not expected to be the protocol going forward.
- Colleen Parker congratulated Jaime Heins and Mike Ashooh for their election to the Selectboard.
- Jaime Heins commented on the town meeting and elections running smoothly but with low voter turnout.
- Jerry Storey commented positively on the roundtable model of the interaction with the state legislators.

## 7. TOWN MANAGER REPORT

Lee Krohn noted the following:

- Thanks were extended to all who helped with and attended Town Meeting.
- Lots of work is occurring on the library project inside the building (plumbing, electrical). The foundation has been poured.
- Maddie Hughes, award winning journalist with *Shelburne News*, is leaving the local newspaper for a new position. Ms. Hughes will be missed.

## 8. VERMONT RAILWAY, INC. v TOWN OF SHELBURNE DISSENTING OPINION OF DECISION BY 2<sup>ND</sup> CIRCUIT COURT

Jerry Storey read a statement indicating at this time the town is reviewing the decision from the 2<sup>nd</sup> Circuit Court on the Vermont Railways, Inc. v Town of Shelburne lawsuit and will make a public statement at a future date after discussion of the decision.

Sean Moran, resident, urged the Selectboard to use their collective heads when discussing the case. The town cannot afford to go forward with an appeal.

Linda Riell, resident, urged the Selectboard not to go any further with the case.

Vivian Jordan, resident, said after seeing the decision “three strikes and you are out”.

## 9. APPOINTMENT TO PLANNING COMMISSION

The Selectboard interviewed Neil Curtis for a position on the Planning Commission. Mr. Curtis noted his experience with planning commission work and his interest in serving the town. Mr. Curtis recently served on the town’s energy subcommittee.

**MOTION by Jaime Heins, SECOND by Mary Kehoe, to appoint Neil Curtis to the Shelburne Planning Commission for a three-year term beginning immediately and ending April 1, 2022. VOTING: unanimous (5-0); motion carried.**

## 10. AUDIT REPORT

Rick Brigham with Sullivan & Powers spoke positively on working with management and staff to do the annual audit. Mr. Brigham reported the following:

- The town once again has an unqualified opinion from the audit as a result of the hard work by Peter Frankenburg and staff.
- The General Fund increased and has a healthy fund balance.
- The Sewer Fund dropped slightly, but still has a healthy balance.
- The Water Fund had a negative balance that has turned around to positive.
- Recommendations from the audit are in the Management Letter. The town is urged to tackle the recommendations.

Mary Kehoe asked Mr. Brigham which three recommendations should be highlighted. Mr. Brigham said the balance sheet account reconciliation, segregation of duties, and having a second person oversee electronic approval of funds.

Jerry Storey extended thanks to Peter Frankenburg and Colleen Haag for maintaining the sound and well managed financial position of the town. Mr. Storey mentioned setting a timeframe for addressing the recommendations and drafting a tax delinquency policy. Lee Krohn noted the first steps have been taken with collection of delinquent taxes. Peter Frankenburg pointed out having the Selectboard review the warrants (second set of eyes) is the kind of controlled environment that is wanted and is one of the recommendations.

It was suggested the Selectboard discuss at the retreat an overview of how various funds come to be and how they are maintained, and adding the position of Treasurer to the organizational meeting.

Colleen Haag commented positively on working with Sullivan & Powers on the audit.

## **11. SELECTBOARD RETREAT**

Jerry Storey suggested strategic planning should be the theme of the retreat and the retreat should be held at a time convenient to the board members and public. Ideas for the retreat should be communicated to the Town Manager. Lee Krohn will do a Doodle poll to determine a workable date for the retreat.

### **11.a ECONOMIC DEVELOPMENT INITIATIVE**

The Selectboard will discuss forming an economic development initiative at the Selectboard retreat and the function and form of the initiative. GBIC and SBPA could be invited to the discussion. Lee Krohn will gather ideas.

## **12. CBC MEMBER UPDATE**

Lee Krohn noted the Selectboard agreed to extend all CBC terms for one year and the CBC members are willing to continue their service.

## **13. LEASE AMENDMENT WITH SPRINT (south tank)**

Tabled.

## **14. PREVIEW OF UPCOMING AGENDAS**

Agenda items include:

- Storm water
- Permit process
- Storm water utility
- Emergency Operations Plan update
- Vermont Railway discussion
- Economic development discussion
- Waste water treatment plants and capital investments
- Personnel policies and organization development
- Fire/Rescue property
- CBC restructuring
- Energy efficiency initiative

There was mention of the designated liaisons from the Selectboard to various town committees.

#### 15. FIRE/RESCUE PROPERTY SITE ANALYSIS

Lee Krohn said the site analysis will be done and the purchase and sales agreement negotiated. If the proposed site is suitable then the purchase will be on the ballot at next year's annual town meeting for public vote. Jaime Heins will take the lead on negotiating the purchase and sales agreement. The Selectboard will discuss forming a steering committee for the site analysis at the next meeting. Staff will reach out to individuals who may be interested in serving on the steering committee.

A resident from Falls Road urged the Selectboard to be cognizant of taxes increasing in Shelburne and people paying for amenities they may not use. Shelburne should be affordable and diverse, and not just for the wealthy. Strategic planning can be very lengthy and involved with different interpretations by people.

#### 16. LIQUOR LICENSE APPLICATIONS

Tabled.

#### 17. EXECUTIVE SESSION and/or ADJOURNMENT

*Contract Negotiations*

**MOTION by Colleen Parker, SECOND by Mary Kehoe, to find that premature public disclosure of contract negotiation of the purchase and sale agreement for the Fire/Rescue portion of the Rice Lumber/Healthy Living property would place the town at a substantial disadvantage. VOTING: unanimous (5-0); motion carried.**

**MOTION by Colleen Parker, SECOND by Mary Kehoe, based on the finding that premature public disclosure of negotiations will place the town at substantial disadvantage to go into Executive Session pursuant to 1VSA313 to discuss the purchase and sale agreement for the Fire/Rescue portion of the Rice Lumber/Healthy Living property, and to invite the Town Manager and Town Attorney (via telephone) to attend. VOTING: unanimous (5-0); motion carried.**

Executive Session was convened and the regular meeting adjourned at 8:31 PM.

*RScty: MERiordan*

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For the Selectboard

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Date