

**Approved Minutes**  
**MAIDSTONE SELECTBOARD MEETING**

Monday, March 4, 2024

7:00 pm

Hybrid Meeting, both in person at Town Hall and by Zoom Video Conference

Members Present in Town Hall (in-person): Scott Lovell, Chair; Bruno McKenzie

Town Officials and Staff Present via Zoom: Town Clerk and Lister Amy Pear; Treasurer, Delinquent Tax Collector, Lister, Zoning Board and Planning Commission member Bob Champagne-Willis; Assistant Town Clerk Sam Graham; Zoning Board and Planning Commission member Bruce Barker; Zoning Board and Planning Commission Chair Chris von Alt; Lister, Auditor, and Health Officer Sandra Gray; Selectboard Administrative Assistant Mary von Alt

Also Present via Zoom: Lin Mixer, Lisa and Paul Plourde, Andy Champagne-Willis, Suzy Irwin, Sam and Carol Gorham, Laurie and Bob Snowman, Jim Bennett, Jan Barker, Suzy Irwin, JI and Sandy Ireland, Ray Lovell (Ray came at the end of the meeting; I am not sure that he had fully connected to the Zoom before the meeting was adjourned)

Chairman Scott Lovell called the meeting to order at 7:00 pm.

**APPROVE MINUTES:**

Scott made a motion to accept the February 5th, 2024 Selectboard Meeting minutes; Bruno seconded the motion. Both voted in favor.

**REPORT OF THE ROAD COMMISSIONER:**

Brad is not at the meeting, so there is no Report of the Road Commissioner tonight.

**REPORT FROM THE TOWN CLERK:**

Town Hall is set up for the four elections scheduled for tomorrow - the local election, the school board election, and two presidential primaries. The polls will be open from 10:00 am until 7:00 pm. Town Meeting is scheduled for 7:00 pm following the close of the polls. The Election Staff will count ballots immediately after Town Meeting. The results will be reported that night.

Canine registration is ongoing until April 1, 2024.

**REPORT FROM THE TREASURER:**

- The Selectboard Warrant is on the Signing Desk. This official Warrant differs from the version that was emailed to the Selectboard on February 29th, due to the addition of the Wiedeman check, written for \$16,318.21, representing the closing out of that tax sale. The money was not the Town's to do anything with; it was just money we were holding until the one year anniversary of February 16, 2023, the date on which the tax sale occurred. Deborah has acknowledged that she has received the check.
- Bob then reported that there have been six breaches on two different Maidstone Town accounts by four people; the accounts affected were the General Account and the Grand List Account. None have been successful. Neither the bank nor the Town have lost any money. Due to the volume of the activity, both accounts are being closed out. Bob has ordered new checks; when they arrive, the money will be transferred to the new accounts. Bob is monitoring the accounts daily; no further breaches have occurred. In response to Scott's question, Bob said he is doing all that can be done - monitoring the accounts daily and working with the bank to close the accounts that were breached and open new accounts. The bank has 48 hours to stop a transaction once they are notified about it. Fraud has happened before, but the bank caught the transaction. This time the bank did not catch any of the fraudulent activity; Bob did.
- The Town has \$31,000 left of the ARPA (American Rescue Plan Act) funds. By the end of April, Bob must file an annual report with the federal government about what expenditures and obligations have been made with these funds to bring the amount down from the original \$58,000 to where we are now; this will be the third such annual report. All ARPA funds must be obligated by 12/31/2024 and must be spent by 12/31/2026. The action recommended by VLCT (Vermont League of Cities and Towns) is for the Town to sign a resolution, provided by VLCT, that states that the ARPA funds are to cover expenses that have

already happened, which is the reason that we have the ARPA money in the first place. Once the resolution is signed, the money is both obligated and expended. It is then transferred into the General Fund Balance. The General Fund Balance can only be spent by the townspeople. It can't be spent by any vote by the Selectboard to spend any monies that are not already in the budget. Once the resolution is signed, Bob will report to the IRS that everything has been obligated and expended. Using the ARPA funds that have been transferred into the General Fund Balance will require the Town to get permission from the voters. The Town does not need to take action with the resolution immediately, but does need to resolve ARPA by the end of this year. Scott asked if we have to know where we will spend the money by the end of the year. Bob replied, "Yes, the sooner the better, according to VLCT."

- Bruno asked what happened with the grant for energy efficiency for the building (MERP, the Municipal Energy Resilience Program grant). Amy replied that Maidstone acted early in the process of preparing for this grant. The Town has everything in place to apply for the grant, once the application is released. The Energy Audit report just came in, but she has been busy with elections so has not yet looked at it. The State is waiting to release the grant application in order to give more towns the ability to get their energy audits done, so that towns are on an equal playing field, before the grant is released.

#### **REPORT OF THE DELINQUENT TAX COLLECTOR:**

The Town has only two remaining delinquent taxpayers, both of whom still owe delinquent taxes from 2022. The Wiedeman tax sale that happened one year ago on February 16, 2023 has been finalized and closed out.

#### **REPORT FROM THE LISTERS:**

The Grand List Certification that is on the Signing Desk certifies that there are no appeals or suits pending concerning 2023 Grand List grievances. This annual certification, required by the State, closes out the 2023 Grand List. No vote is required. Once all three members of the Selectboard have signed the Certification, the Town Clerk certifies it.

#### **OLD BUSINESS:**

- **Update about Maidstone's proposed joint meeting of the Selectboards of the towns directly impacted by the Twin States Clean Energy Link proposal:** Scott asked if Bob has compiled a list of questions to be addressed at this joint Selectboard Meeting, saying that he doesn't have a whole lot of questions himself. Bob said he had not prepared a list, the purpose of the meeting being to find out what the Selectboards' concerns and questions are. Bob plans to be at the Town Hall for the meeting. Andy will be there to take minutes. Apparently, Twin States has mailed out post cards to everyone in the 7 towns saying that Twin States' representatives will be coming to Selectboard meetings to answer questions. Scott said he had told Corey Parent, who works on behalf of the project, when contacted by Corey, that he will be on the agenda at a future Selectboard Meeting. Mary asked if the Draft Agenda that she had emailed to Scott was acceptable; Scott said it was fine. Mary will work with Amy to send that agenda to the other Selectboards (Bloomfield, Guildhall, and Lemington) that have indicated that they will be attending the meeting, whether in person or by Zoom.

#### **NEW BUSINESS:**

- **Discuss and act upon as needed Missy Brashears's resignation from her job cleaning Town Hall and the need to hire a Town Hall Cleaner:** Scott asked if the Town received a resignation letter from Missy. Amy said Missy left a sticky note and a key on Amy's desk, to thank the Town and to say she had moved away from Maidstone. Bruno made a motion to accept Missy's resignation; Scott seconded the motion. Both voted in favor. Andy Champagne-Willis, who stepped forward to clean the building recently as that was much needed, said he was willing to continue, if no one else was interested in the job. Andy said this is something he can do in his spare time to help the Town. Bruno made a motion to accept Andy Champagne-Willis to do the cleaning at Town Hall; Scott seconded the motion. Both voted in favor.
- **Update from the Planning Commission members about where they are in the process of updating the Town Plan for reoption:** Chris von Alt, Chair of the Planning Commission, said the Commission had begun the process of updating the Plan by creating and distributing the Town Survey, Phase One of community involvement. The Commission held a public presentation about the survey and a discussion of the results on January 17th. Last week, the Commission held a meeting on February 28th to discuss where the members are in the updating process. A Table of Contents for the Plan has been created, incorporating

the 12 Required Elements. The idea now is to begin to generate the maps required and gather information and research about each of the Required Elements. The wording on the agenda may have been confusing, Chris said, because it sounded like we are writing the plan itself, but what we are doing is putting the information in a form in which it can be discussed with townspeople. Out of the information and the discussions, we will begin to put the plan together. Each Commission member took one Element to focus on and gather the needed information about to review and discuss at the next meeting on April 12th at 7:00 pm. (Bob's chosen Element is Education, Bruce decided on Preservation Policies for Natural Areas, and Chris will focus on the Energy Element). That will all be on the Town website, where there is a Planning Commission page on which are posted the background documents created thus far to use in the updating of the Town Plan. Amy will help keep townspeople informed and encouraged to participate. The plan is to review the information gathered about the Elements and, if they have made enough progress on those Elements, each Commission member will choose another Element to work on for the meeting following the April meeting. Following this process, all 12 Required Elements will be addressed.

Bruno said, "Then you're quite a ways away from getting this taken care of?" Chris said, "Yes - the whole idea is that as the weather gets better and more people can get out and get around, there will be more public meetings. There's Phase II of the Community Involvement which brings everybody together, so we can discuss what we have found out so far, how the Elements of the Plan work." He said there will be controversy about some of what the State requires and that must be worked through. The whole process of updating the Plan will take quite a while.

Scott said he did not go to the meeting, but had watched the video. He said it seemed like Jesse was concerned that the Commission is moving too fast; Scott said that Jesse should be involved a little more. Chris said that is a discussion that would be best to take offline.

Mary said the minutes of the meeting are posted online and have been distributed via email to the list of people who have requested such notifications. The minutes contain the detailed Action Plan that the Commission decided upon. Amy will be helping to distribute information. The Commission is really hoping that people will participate in the meetings.

#### **OTHER BUSINESS:**

- Bob said he continues to follow legislation that might impact the Town, including:
  - The legislature is considering what action to take about hybrid and remote public meetings. Currently, Act I authorizes public bodies to hold fully remote meetings until July 1, 2024. No decisions have been made.
  - Terri Williams has done a great job with the 2023 Homestead Tax Rate that was overstated for some towns in the NEK. Bob has finally seen the beginning of a bill, currently not numbered, that deals with refunding the overpaid taxes to towns that will then be responsible for returning the money to taxpayers. This looks promising, but is still in the works. The amount refunded will not be a huge amount of money, but the fact that this tax rate error is even being considered by the Legislature is the result of a lot of work on the part of our NEK Choice School administration and Representative Williams.
  - Related to this topic, is the NEK Choice School District budget that has decreased this year from last year. Thanks to the really good job that the NEK Choice School Board did with the budget, no revote will be required in our district, as will be required in a number of others across the State.
- Bob reported that Essex North Supervisory Union (ENSU), the umbrella organization for our NEK Choice, has approached him to ask if there is a stipend that the Town would want from them for using our Town Hall, our OWL, and our TV for ENSU and NEK Choice meetings. Scott said this should be put on next month's agenda for discussion and action.
- Bruno asked if the Town has the right to stipulate when the work in Taylor Cemetery must be completed in the contract signed last year with R & S Tree & Landscaping. Bob replied that the issue can be decided at the April meeting; a letter should be sent to them at that time. Amy had already requested that "discuss and take action as needed about the work at Taylor Cemetery" be put on the agenda for the April meeting.
- Amy has also requested that the traffic study by NVDA be on the April agenda; this study had been scheduled for last summer, but had to be delayed due to the widespread flooding in the State that demanded action.

- Chris updated the Selectboard about the status of the reclassification petition, sponsored by the Town and others, that was submitted to the State in 2021. Action on reclassification petitions has been frozen due to a Statute prohibiting the discharge of more than 1000 gallons per day from septic systems into the watershed of A(1) waters. (The Maidstone State Park is in this category, not residences.) The Department of Environmental Conservation (DEC) worked to come up with a new rule, which has now been incorporated into Vermont Senate Bill S146, related to the permitting of indirect discharges into watersheds. The House must now take this up. Scott asked what A(1) classification means; Chris explained that it is based on the nutrient concentration in a lake. If a lake classified as A(1) develops problems with nutrient concentrations that are deteriorating the water quality, the State can help to deal with the problems, which is quite expensive; much more State aid is made available for A(1) lakes than if a lake is classified as B(2), which Maidstone lake is at present. Reclassification does not impact boating on the lake, nor does it impact logging operations. It is a win/win for the Town; if Maidstone Lake gets into trouble, the State will provide aid for mitigation efforts much more quickly. Chris said that he is writing a letter in support of passing Bill S146 and asked if the Town would consider doing so also. Scott said that if Chris writes the letter, he will welcome it. Bruno asked if this were the same thing as he had found in the research he had been doing that indicated the State keeps an eye on the lake and might give the Town grant money to do culvert work, for instance, if that were needed to deal with a problem such as runoff. Chris said yes; a Watershed Management Plan was recently released for Maidstone Lake that incorporates such monitoring. He does the lay monitoring of lake water quality and of the water in one of the streams that is a tributary to the lake. That's the whole point of the lake reclassification - if nutrients build up, there will be a lot more money available to deal with that. If there is run-off from logging, the State would help with installing culverts to handle run-off and that sort of thing.
- Scott said he had received a letter from Ray Lovell, saying that he would like a position on the Planning Commission and the Zoning Board. Scott asked how that should be done. Chris replied that it is up to the Selectboard, which is responsible for appointing people to both. Bob and Suzy both thought that the recommendation for whom to appoint came from the Planning Commission, with the Selectboard then making the appointment. The answer for this question will be researched and presented to the Selectboard. In response to Scott's question, Chris said the Planning Commission is supposed to have a minimum of 3 members with a maximum of 9. In response to another question from Scott, the Commission members said he was right, residency is not required of all members, though the majority of members must be residents of the Town. Chris said it is best to have an odd number of members on the Commission, so decisions are not tied. Scott asked how many are on the Commission now, to which Chris responded, "Three." Scott said, "So if Ray and Jim Bennett were on there, that would be five."
- Continuing to refer to Ray's letter, Scott said that Ray had a lot of questions that are kind of directed to the Planning Commission; he will talk to Ray to see how he wants to proceed, whether he wants to bring the questions to the Selectboard or the Planning Commission. Amy told Scott that the Chair of the Planning Commission had asked Ray to put his thoughts down and bring it to Town Hall; Amy then distributed it to both the Selectboard and the Planning Commission. Chris explained that Ray was having trouble with his audio; Chris suggested that he bring his written questions to Town Hall, so that the Commission could respond to him.
- Amy said that, in case people are not aware, the Peaslee Bridge is open, having been temporarily fixed. The materials needed for a final fix are not yet available. When they are available, the State will let Maidstone know. The bridge may or may not need to be closed to make that final fix. The weight limit has been reduced to 3 tons, but that does not apply to any emergency vehicles such as police, fire, or ambulance. Bill Sanborn has been brought up to date about that and will reach out to inform everyone, when he feels better.
- Amy thanked Suzy for coming out of retirement to help at Town Hall, including training Sam Graham, the new Assistant Town Clerk. Everyone joined in thanking Suzy for all she has done for the Town. Suzy said she will miss her work, so the Town is not rid of her yet. Scott thanked her for all her service to the Town, with everyone joining in.

**ADJOURN:**

The business of the meeting concluded, Bruno made a motion to adjourn the meeting for March 4th; Scott seconded the motion. Both voted in favor. The meeting was adjourned at 8:00 pm.

Respectfully submitted,  
Mary von Alt