

Approved Minutes
MAIDSTONE SPECIAL SELECTBOARD MEETING
Monday, December 19, 2022
7.00 pm

Hybrid Meeting, both in person and by Zoom Video Conference

Members Present in Town Hall (in-person): Scott Lovell, Bruno McKenzie, Brad McVetty

Town Officials and Staff Present (via Zoom): Town Clerk and Lister Amy Pear; Town Treasurer, Delinquent Tax Collector, Planning Commission and Zoning Board member Bob Champagne-Willis; Zoning Board and Planning Commission member Bruce Barker; Auditor, Zoning Board and Planning Commission Chair Chris von Alt; Emergency Management Coordinator and Fire Warden Bill Sanborn; Administrative Assistant Mary von Alt

Also present via Zoom: June Lockert; Burt and Carol Kline; Carol and Sam Gorham; Laurie and Bob Snowman; Jim Bennett; Ed Tully; Lin Mixer; Mike Otis; Andy Champagne-Willis

Chairman Scott Lovell called the meeting to order at 6.59pm.

Discuss and accept the resignation of Eileen Thietten, Zoning Administrator:

Brad made a motion to accept Eileen Thietten's resignation letter; Bruno seconded the motion. All voted in favor of the motion.

Discuss and act on any recent zoning applications that may need addressing:

Town Clerk Amy Pear reported that two zoning permit applications have been received by the Town that are in need of action. Eileen signed the permit application from Roseann Merwitzer prior to officially being appointed Zoning Administrator, but did not post it or send out any notices.

Mary spoke about the email she received from VLCT lawyer Garrett Baxter and forwarded to the Selectboard late this afternoon, in which he explains that the de facto officer doctrine, validated by the Supreme Court, says that Eileen having signed the permit is legal and valid. The permit now needs to be posted, starting the 15 day appeal period, and any required notifications sent by the Temporary Zoning Administrator, once appointed.

Amy said Eileen felt the other permit application was incomplete and asked Amy to obtain more information, which she has done. The application is now waiting for the Temporary Zoning Administrator to review and process.

Discuss and decide when to post the Zoning Administrator vacancy and the deadline for receipt of letters of interest by the Town Clerk at Town Hall:

Bruno made a motion to post the Zoning Administrator vacancy with a deadline of Thursday, January 5, 2023 at 12.00pm; Brad seconded the motion. All voted in favor of the motion. Letters responding to the Zoning Administrator posting will be forwarded for review to the Planning Commission, which will nominate a candidate for Zoning Administrator and send that nomination to the Selectboard (24 V.S.A. § 4448 (a) and Maidstone §501 (1)).

Discuss and act upon the appointment of a Temporary Zoning Administrator for the interim period until a new Zoning Administrator is appointed:

Scott made a motion that we appoint Bruno McKenzie as the Temporary Zoning Administrator until the new Zoning Administrator is appointed; Brad seconded the motion. The motion carried.

Other Business:

Amy asked Bruno if he were building Roseann Merwitzer's house, as she was concerned that Bruno both signing off on/processing the permit and building the house could potentially cause trouble for the Town and for him. Bruno said he is not planning to build her house. Jim Bennett then raised his hand to ask a question (see below), after which, Bruno returned to this topic. At this point, he said, another builder is intended to take on this project. However, it is possible that something might force him to have to get involved, but he does not see how that will be impacted by his being the Temporary Zoning Administrator now. Eileen already signed the permit; the Temporary Zoning Administrator must complete processing it. The house building project won't happen for several months, by which time a new Zoning Administrator will be in place to oversee the project. He is concerned that the Town is getting carried away with the conflict of interest issue. Amy said she prefers to bring possible conflicts of interest up ahead of time, so that the Town can make fully informed decisions and deal with the issue. Laurie said that people bring possible conflicts of interest up to help protect the Town and individuals from getting into difficult situations down the road. Scott said he understands why conflict of interest issues are raised sometimes, but cautioned against taking the conflict of interest issues too far. He feels the Selectboard has 100% transparency and reminded everyone that Maidstone is a small town, suggesting that we get back to employing our common sense.

Jim Bennett asked what the reason was that people were resigning from serving in the Town government in Maidstone because of a certain individual. Mary pointed out that people have resigned for a variety of reasons, some after being in place for quite some time, some because they were having serious personal family issues with which they had to deal, but no one has said they resigned because of any one person. Raising the question is helpful, as it prompts us all to examine what we are doing and how we are behaving to see if we can improve and make things better.

The business of the special meeting concluded, Scott made a motion to adjourn; Brad seconded the motion. All voted in favor. The meeting was adjourned at 7.20pm.

Respectfully submitted,
Mary von Alt