

**Brandon Select Board Meeting
October 26, 2015**

NOTE: These are unapproved minutes, subject to amendment and/or approval at the subsequent board meeting.

In Attendance: Doug Bailey, Seth Hopkins, Tracy Wyman, Ethan Swift, Devon Fuller

Also in Attendance: Dave Atherton, Wayne Rausenberger, Kathy Rausenberger, Richard Baker, Bernie Carr, Sue Gage, Arlen Bloodworth, Daryl Burlett, Phyllis Reed, Dick Kirby, Bill Moore, Janet Coolidge, Jeff Stewart, Linda Stewart, Anna Scheck, Lee Kahrs, C. J. Walsh, Liz Peyton, Paul Harris

1. Call to order

The meeting was called to order by Doug Bailey - Chair at 7:00PM.

a) Agenda Adoption – Motion by Seth Hopkins/Tracy Wyman to adopt the agenda as printed. **The motion passed unanimously.**

2. Consent Agenda

a) Public Hearing Minutes (Union/Maple Street Project) – October 13, 2015

Motion by Seth Hopkins/Tracy Wyman to approve the minutes of the October 13, 2015 Union/Maple Street Project public hearing. **The motion passed with one abstention – Ethan Swift.**

b) Public Hearing Minutes (Town Plan Adoption) – October 13, 2015

Motion by Seth Hopkins/Tracy Wyman to approve the minutes of the October 13, 2015 Town Plan Adoption public hearing. **The motion passed unanimously.**

c) Select Board Meeting Minutes – October 13, 2015

Motion by Seth Hopkins/Tracy Wyman to approve the minutes of the October 13, 2015 Select Board meeting. **The motion passed with one abstention – Ethan Swift.**

3. Town Manager's Report

Dave Atherton reported he has met with Green Lantern over the last couple of weeks to discuss the town's solar project on the industrial land. Engineers have visited the site and they are moving forward. The Town has hired Tim Kingston as the new wastewater operator. The town employee summer cookout was held last week and a good time was had by all. The Segment 6 right of way negotiations are moving along and have required changes to many deeds, which is time consuming. A new fence has been

installed in front of the old BHOP building that looks much better than the jersey barriers. The winter sand and salt has been delivered. The Town is test-driving new graders in the hopes of replacing the old one. There was another sewer dig on East Seminary Street, due to clogged lines with roots, and has been repaired. Budget work has started and Mr. Atherton has been working with department heads regarding the budget. The next budget meeting is scheduled for November 3rd and it is anticipated there should be a draft budget ready for discussion at that meeting. The town office renovation contract has been signed and the contractor started last Thursday, with an anticipated move-in timeframe of March. Mr. Atherton attended a VTCMA conference that included some very good workshops. He noted it was good to have discussions with other town managers on how they operate.

Doug Bailey thanked the Town Manager, the Brandon Chamber and the Public Works Department for the work on the fence, noting it is good to have the jersey barriers gone. Ethan Swift asked if the Phase 1 one ground assessment on Newton Road has been completed. Mr. Atherton advised it had been sent to the Regional Planning Commission; however, they were not able to assist the Town. Mr. Atherton obtained a quote from the vendor who did the oil tank issue and has submitted the quote to FEMA for their approval. Tracy Wyman questioned the reason for a new grader. Mr. Atherton advised the grader is 26 years old and has required a lot of repairs. The Town is just looking into the options they might have as it was used a lot more this year. Daryl Burlett advised the cost to rebuild the motor is equal to what the grader is worth. Mr. Atherton reported there has also been more paving done that includes Wheeler Road near the bridge, patching on River Street and repair of the apron on Basin Road. The state has done a skim coat on Route 73 to get the Town through the winter. Next year Route 73 will have a complete redo. Ethan Swift thanked everyone involved in the paving efforts.

4. Comments for Items not on the Agenda

Bill Moore reported the Recreation Department had a successful annual adult Halloween dance and he wished to thank the sponsors of that event. He noted the Brandon Christmas Toy Project benefited from the proceeds. He also noted there is a Corn Hole open league that takes place weekly at the town hall.

Phyllis Reed read the following letter of thanks that she submitted to The Reporter and Rutland Herald:

"I would like to extend this special thank you to Dave Atherton - Brandon Town Manager, Devon Fuller – Brandon Select Board Member, Tom Donahue – CEO of the Rutland Region Chamber of Commerce and Dave Allaire – Rutland City Alderman for taking the time out of their busy schedules to come to the Rutland Home Depot and thanking the cashiers for their service to the Rutland County Community. October is Cashier Appreciation month, and I feel very fortunate that I was given the opportunity to have these local government leaders come to our store. I was told by the cashiers that

this was an awesome occasion. Thank you, gentlemen, on behalf of myself and my co-workers. We so appreciated it. Sincerely, Phyllis Cioffi Reed."

Ms. Reed questioned if there is any plan to paint a turning arrow into McDonalds. Daryl Burlett stated there is a turn lane, but no plans to paint an arrow. Ms. Reed also read a prior article published regarding a vote on a "pot" policy by VLCT at their annual meeting on October 8th. Ms. Reed questioned whether Brandon voted on this item and was advised that Brandon did not vote on the item, but the VLCT voted to oppose the policy.

Jeff Stewart stated at the last meeting for the proposed Town Plan he was concerned with the Vision section. He has seen a copy of the proposed changes and suggested the following change to the first sentence: *Brandon is an intimate, warm, and walkable small town, including a compact and full service downtown. Brandon is a real Vermont town.* He stated it should be included that the Town does have a compact and serviceable downtown. Doug Bailey stated the Select Board has been provided a copy of the proposed changes; however, action will not be taken during the meeting, as the Board would like more time to review. Seth Hopkins noted there are still some editing that is outstanding. Jeff Stewart will contact Jeff Guevin to provide his input. Ethan Swift stated the expectation was the Select Board was going to approve it at this meeting and hopefully it will pass in time avoid it lapsing. It was noted that the next Select Board meeting would provide time for the Town Plan to be submitted to the Regional Planning Commission's November meeting.

Wayne Rausenberger questioned whether the Town is considering the project matches during the budgeting process, as the projects are known and it would be good to plan for the matches. Dave Atherton stated there are monies that have been in the Segment 6 project for years. Mr. Atherton will be discussing Bridge 114 with VTrans; however, there are currently no figures available. He noted that Segment 6 will have an increase. It was noted that the Town originally bonded for 5% for Segment 6; however, the costs have continued to increase every year. Bernie Carr stated there had been discussion of tying in Park Street with the Segment 6 project.

5. Policy for Collection of Delinquent Taxes

Dave Atherton advised that Anna Scheck and he have been working on a policy for collection of delinquent taxes and have tweaked a VLCT template. There is no current policy on record and it was thought that a policy should be in place to provide guidelines to the public. Seth Hopkins asked why the timeframe is 10 days for personal property. Mr. Atherton advised that the Town does not have a personal property tax and one of the things he would like to discuss is how to go after delinquent taxes and utilities on mobile homes. It is a process that will have to be developed; however, it will require a Delinquent Tax policy first. The benefit of filing for a lien is that the Town will have the ability to foreclose and the foreclosure follows the person and not the property. The Town has not been able to effectively collect delinquent taxes on mobile homes for

several years. Seth Hopkins noted a spelling correction to the word “principle” in Item (e).

Motion by Devon Fuller/Seth Hopkins to approve the Collection of Delinquent Taxes policy, with the spelling correction in Item (e). **The motion passed unanimously.**

Devon Fuller thanked the Town Manager for getting this policy in place.

6. Revolving Loan Application – Common Ground

Bill Moore read a letter in support of the Select Board approving the Revolving Loan Fund application of the Common Ground Restaurant and Pub. **(See attached letter).**

Kathy Rausenbereger asked if they have auto monthly withdrawals and Mr. Moore stated this can be set up.

Motion by Tracy Wyman/Seth Hopkins to approve the Revolving Loan contract for the Common Ground Restaurant as presented by the Economic Development Officer. **The motion passed unanimously.**

7. Ranger Solar Presentation

Liz Peyton advised Ranger Solar was formed earlier this year by Adam Cohen and Paul Harris. Ms. Peyton and C.J. Walsh do a lot of the day to day development. She works with southern Vermont projects and Mr. Walsh focuses on northern projects and NH and Maine. They focus on larger scale solar projects and this size is new to the state of Vermont, but they think this is the next step for the New England region. They are aware that projects have to be sized appropriately and they have the expertise to size and minimize the impact on natural resources. Large sources of base load power, like Vermont Yankee that will be retired soon, will need replacement. Wind power has been a difficult source to permit. The benefit of a larger source is that it is cheaper and solar power has achieved parity with wind and it makes them a good source for taxpayers. The proposed project is a 20 megawatt project that will be placed on 100 to 140 acres of land and is larger than most projects in Vermont. The proposed site is off the Syndicate Road and is projected to last 25 to 40 years. The contract will have a full decommission plan and the land will be returned to its original use. Brandon has been determined a good place for the project as the potential impacts are minimal, there will be very few transmission upgrades required and due to its close proximity to Rutland that has a large demand for power. Ranger Solar has started the permitting process and the initial environmental studies. It is hoped to submit the Act 248 permit in early November, submit the full application by the end of this year and start on the project late-spring or early-summer of next year. This project will be a \$29 million investment and the town will realize \$100,000.00 in improvement taxes annually and will generate locally sourced jobs. Bernie Carr asked why the project is decommissioned after 40 years. Ms. Peyton stated it is more for the protection of the community and landowners. It is good that anything that is put in is taken out. Sue Gage asked if it requires road

upgrades. Ms. Peyton stated it is possible it may require the road to be expanded, as it is important to have access to the road to enable maintenance of the project. Kathy Rausenberger stated that area does flood in the spring. The wetlands have been delineated and they are aware of the wetland issues. Linda Stewart asked what the current tax is being paid on the property. This figure was not known, but the company estimates the improvement tax will be \$100,000.00. It was noted the tax benefits are good for towns and is extra revenue. All abutters are contacted and the land being considered has very few neighbors. The tax maps are reviewed and there will be a firm that develops a computer model. There are 6 projects that are slated in Vermont in 2016 and they are all this size. The largest current solar project in Vermont is a little under 5 megawatts. The state of Vermont has 5.4 million acres and it is understood that people are sensitive to this issue. Ethan Swift noted that VELCO cannot handle 20 megawatt. It was noted the company will absorb the cost for any upgrades to the grid. There will be grid studies completed and they will work with VELCO on this issue. It was noted that this will derail the gas pipeline. Paul Harris stated the company has been advised by VELCO that Brandon is a good place to inject power, as the concerns are more for the northern part of the state. Ethan Swift expressed concern with all the solar farms that are along Route 7. Ms. Peyton stated rather than having a lot of small solar farms, a larger solar farm, from an aesthetics point would be more in line. Linda Stewart asked what the land's current use is and it was noted that it is a cattle farm. Jeff Stewart stated he is a fan of solar, but noted concern for the viewscape, as it is essential to the community and some towns are acting to prohibit solar installations. Mr. Stewart questioned whether there will be a visibility study done. Ms. Peyton advised there will be an aesthetic model created and the company will work with the town regarding a view mitigation plan. The company is agreeable to working with the town, as Brandon is the best place they have found in the state. Seth Hopkins stated he earns his living on tourism and he is familiar with the site and he uses it as a bicycle route. Mr. Hopkins was in favor of the project as he thinks that visitors will see this as a good project. Devon Fuller questioned the sizing of 20 megawatts. It was noted that this amount of power would go into the grid and would be consumed locally and could go throughout the state. Linda Stewart expressed concern the state needs to decide whether Vermont is going to be the supplier of power to the rest of the country. Mr. Harris stated Vermont is importing a massive amount of energy from Canada and this will create energy for local use and will likely be sold to a Vermont utility or Vermont businesses. Anna Scheck asked if they are going to upgrade the current lines if the VELCO lines cannot take in this amount of energy. It was noted that this would not require intense upgrades and the lines would not be changed to larger lines. Daryl Burlett asked if it can be guaranteed the energy will stay in Vermont. Ms. Peyton stated because of the power deficit that currently exists; it is highly likely the power will stay in the state. There is a guarantee the electrons will be consumed in the state. Mr. Burlett questioned how they chose Brandon. It was noted the company spent a year siting projects, due to the closing of Vermont Yankee. There was a grid analysis done and discussions were started with landowners. The company has also looked into sites in Connecticut, Maine and New Hampshire. Dick Kirby stated he read the Governor is against solar power and Green Mountain Power has indicated they are almost to their limit of purchasing energy. It was noted that Green Mountain Power is looking to

purchase solar and they make sure the renewable energy goals are in line. The company is going to focus on providing clean, cost-effective power. Mr. Kirby stated we are trying to keep our state beautiful and he finds it offensive with all of the solar panels. Bernie Carr stated OMYA is the 2nd largest consumer of energy in the state and questioned if they will be contacted, as they were going to benefit from the gas line. Ms. Peyton advised this is an example of the businesses that they will be focusing on to discuss providing energy cost-savings. Kathy Rausenberger expressed concern with seeing the project from Route 7. Ms. Peyton stated it is not anticipated there will be a risk of seeing the project from Route 7 and they don't see that elevation is a problem. Bill Moore stated this is a good opportunity for Brandon and it is a fantastic location. He noted that Vermont is opposed to nuclear power and wind power, but we have to pay a cost for power and he thinks that this is a fantastic project. Devon Fuller asked what the project will require for operation and whether a facility will be needed. It was noted the project will create two to three full-time local jobs. Dave Atherton stated there has been a shortcoming of revenues and this project will create revenue and jobs for the Town. He also likes that the project will be in one area and not several small solar farms. He would prefer one spot rather than 20 and he thinks it is a great project and he would support it as a taxpayer. Doug Bailey stated his personal opinion is that he does not enjoy all the panels along Route 7, but he agrees with Mr. Moore that we have to get our power from somewhere and he is in favor of the project. Tracy Wyman stated they have chosen a great location and agrees with the Town Manager's comments. Janet Coolidge hopes everyone will keep an open mind as the location seems to be good. Bernie Carr agreed it is a great spot. Ms. Peyton stated they have to get into the interconnection queue to determine if there are any upgrades needed. Ethan Swift expressed concern if the project is successful it may set a precedent. Mr. Harris stated their projects have been received with positive support and from a grid standpoint, there are other parts of the state that have more constraints and they will decide whether to proceed with those projects. It was noted that the project can guarantee a line item in the budget. Bernie Carr questioned if they would be coming from the Brandon side and Ms. Peyton stated it is something that could be negotiated as part of the project. Linda Stewart stated if the value of the land goes up, there is a possibility that the tax value will increase. It was noted that if there is any change with the property taxes, the landowner is protected against tax increases. Richard Baker asked if the solar panels depreciate, and it was confirmed that they do. Mr. Baker stated the reaction to the current solar farms is probably similar to telephone poles when they were initially installed.

8. FEMA Projects/Segment 6/Bridge 114

Dave Atherton reported there is another quote submitted to FEMA for the buyout of Newton Road. Cobb Hill will be done during the next construction season. The Segment 6 right of way negotiations are continuing with several deed changes. More information on Bridge 114 will be provided at the next meeting. Mr. Atherton stated he has heard there is a final rail design for Bridge 114 and he will confirm this information for the next meeting. Mr. Atherton advised that documents have been received from

CLD and Mr. Burlett and he will be reviewing them to determine what the next steps will be.

9. Town Office Project

Dave Atherton stated construction started last Thursday at the town office. They have been doing demolition. Today they were measuring for the beam that has to be replaced underneath the building and there is discussion of raising the 2nd floor to level it. Bernie Carr reminded that the workers should park away from the site. Mr. Atherton advised that the Town has received permission from Mr. Read to park behind the building along the Leary block. Mr. Carr also questioned the status of the parking lot behind the Mobil station. Mr. Atherton advised that he has met with the owners of the Mobil station to go over the permit process, as they are concerned with the Segment 6 project. The Town will not be able to move forward in acquiring the land until they have moved forward with their project. There will be lighting considered for that area.

10. Fiscal

a) FY 15/16 General Fund Warrant – October 26, 2015 - \$82,383.84

Motion by Devon Fuller/Seth Hopkins to approve the FY15/16 General Fund warrant of October 26, 2015 in the amount of \$82,383.84. **The motion passed unanimously.**

Devon Fuller questioned the charge of \$1,588.00 for a tire and was advised that it was for a loader tire. Mr. Fuller also questioned the \$2,500.00 charge for football equipment. Bill Moore stated for the 2nd year the Football Commissioner, Barry “Duke” Whitney had a program with 60+ children. There was a football program raffle that netted \$4,500.00 and the \$2,500.00 will be offset. The program is running successfully. Mr. Fuller questioned if the equipment costs \$2,500.00 each year. Mr. Moore advised this was a helmet upgrade for the 3rd and 4th grades. The program helmets will be replaced in a cycle going forward. Mr. Atherton stated in reviewing the Comcast bill he noticed there were 17 lines on the bill that included the lines at the fire station. Mr. Atherton talked with Comcast to adjust the bill and there will be a savings of \$200.00 per month.

b) FY 15/16 Wastewater Fund Warrant – October 26, 2015 - \$15,268.23

Motion by Devon Fuller/Tracy Wyman to approve the FY15/16 Wastewater Fund warrant of October 26, 2015 in the amount of \$15,268.23. **The motion passed unanimously.**

c) General Fund Bond Warrant – October 27, 2015 - \$184,632.40

Motion by Devon Fuller/Seth Hopkins to approve the General Fund Bond warrant of October 27, 2015 in the amount of \$184,632.40. **The motion passed unanimously.**

Dave Atherton stated this is the bond payment that has to be done each year and it will be a single payment made, however, when it is motioned for warrant approval, it is split between the General Fund and the Wastewater Department.

d) Wastewater Fund Bond Warrant – October 27, 2015 - \$26,793.92

Motion by Devon Fuller/Tracy Wyman to approve the Wastewater Fund Bond warrant of October 27, 2015 in the amount of \$26,793.92. **The motion passed unanimously.**

Motion by Devon Fuller/Tracy Wyman to recess the Select Board at 8:51PM to convene as the Board of Liquor Commissioners. **The motion passed unanimously.**

The Select Board reconvened at 9:05PM.

Motion by Ethan Swift/Seth Hopkins to enter into executive session at 9:06PM for the purpose of discussing the appointment or employment or evaluation of a public officer or employee pursuant to Title 1, Section 313(a)(3) of the Vermont Statutes. **The motion passed unanimously.**

10. Executive Session

Motion by Seth Hopkins/Devon Fuller to come out of executive session at 9:40PM. **The motion passed unanimously.**

There was no action required.

11. Adjournment

Motion by Devon Fuller/Tracy Wyman to adjourn the Select Board meeting at 9:42PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary