

MINUTES OF THE MEETING OF
THE STRAFFORD BOARD OF SELECTMEN

May 27, 2014

APPROVED: 6-25-2014

Pursuant to 1 V.S.A. § 312 (b)(1) Selectboard meeting minutes include

- (A) All members of the public body present;
- (B) All other active participants in the meeting;
- (C) All motions, proposals and resolutions made, offered and considered, and what disposition is made of same; and
- (D) The results of any votes, with a record of the individual vote of each member if a roll call is taken.

Although meeting minutes have complied with 1 V.S.A. § 312 (b)(1), any additional information is included as a courtesy.

The meeting was called to order at 7:00 p.m.

Members of the public body present:

Rod Maclay, Chair, Tori Lloyd, Steve Marx, Brent Cadwell, and John Freitag, Members

Other active participants:

Jennifer Brown, Reporter Herald of Randolph; Jessica Tidman, Roz Finn, Paul Perkins, Scott Traudt, Lee Vormelker, Martha Walke, Denise Perkins, Kerry Claffey, Steve Whetmore, and Anne Payton

CITIZENS CONCERNS: Steve Wetmore had concerns about driveways that are town roads as well and continue to be maintained by the Town. Historically, these roads may have been used for milk runs he said. He is concerned about the cost to maintain these roadways. His second concern was the lack of consistency in town policy that mandates the plastic-covered temporary building between the two villages that needs to be moved in a year's time and the several box trailers that can remain indefinitely in place. The Board noted this is a zoning issue and Brian Johnston, the zoning administrator, should be consulted.

1. MINUTES: John had several revisions to the 5/15/14 minutes. Rod noted that with so many changes he wanted to postpone approval of the final 5/15/14 minutes until the next meeting.

GENERAL: Post Draft Minutes - Tori had a concern that the draft minutes are no longer posted and this delays possible citizen's concerns being raised from issues brought before and taken up by the Board to until two or more weeks after a Selectboard meeting. John responded that he didn't want to post inaccurate minutes prior a final approval. Paul Perkins noted that as of July 1, 2014 the newly adopted changes to the Open Meeting law require that draft minutes be posted on a town website, if one exists. Brent said if they are posted on the website and copied at the store, then why not post the draft minutes on the listserve as well. Steve said he thought that draft minutes could be posted on the website and then post the approved the minutes on the listserve. Jessica asked why

not post the on the listserve. Brent said it was more cumbersome to not post minutes on the listserve. Brent made the motion to post draft minutes on the listserve and as well as the website. Rod seconded. Tori approved. John and Steve opposed. Motion passed.

Personal Policy – Tori has been working with the Vermont League of Cities and Towns (VLCT) to complete a personnel policy that complies with state and federal law. VLCT prepared a scope of work and cost estimate to review current town personnel policy and made recommended changes, draft a purchasing policy and remove it from the existing personnel policy, develop a hiring policy document, review and provide feedback on compensation and benefits, and travel to the town to prevent the deliverables. The cost is estimated to be between \$2212 to \$2740. John felt there were no funds to complete this project at this time and wanted to revisit it at a later date. Scott Traudt asked about the liability in not completing the personnel policy and what associated litigation costs there may be. John made a motion to postpone considering the proposal until October 1. No second. Lisa noted that some portions of the personnel had not been reviewed since 1995. Tori pointed to funds available under Legal Fees and Consulting to complete the VLCT scope of work. Tori made a motion to accept the VLCT scope of work and proposal. Brent seconded. John and Steve opposed. Motion passed.

Review Compensation – As part of the overall review of personnel policies and hiring, Tori presented a town employee compensation analysis based on a total compensation that included wages and benefits. She is also preparing a compensation analysis for surrounding towns in order to understand how Strafford compares to Sharon, Thetford, South Royalton, Chelsea, and Tunbridge.

Special Town Meeting Petition – Tori reported that it appeared that are not enough signatures gathered to support her petition for a special town meeting. She also responded to John's listserve post of May 26. She reiterated that the issue was about bringing tax issues to the voters and corrected John's inaccuracies in his post. First she read aloud from John's post: "On May 17, more than two months after Town Meeting, Selectboard member Tori Lloyd proposed to the Board revisiting the issue of how to pay for the cost overruns of the highway project. She said that she has since found that the information she presented at Town Meeting was incorrect."

Tori reminded John and the Board that she had noted at the first Selectboard meeting after Town Meeting that she had contacted the Vermont Secretary of State's Office and spoken to Deputy Commissioner Brian Leven to ask if the Town had deficit repayment options and learned that the Town may not have been given appropriate counsel prior to Town Meeting. Mr. Leven suggested that it did not seem correct to him that a deficit would need to be paid in one-year. Subsequent to that conversation, Tori reported she contacted the town's counsel Paul Gillies on March 21 to follow up on what she had learned from Mr. Leven. Mr. Gillies responded on the same day with a memo offering an option to revisit the deficit. Tori pointed out that John's post did not accurately reflect the sequence of events or the substance of the communications although he had access to the communications provided by her. Tori referred again to Mr. Gillies' 3/21/14 memo and that stated a special town meeting was appropriate and "the question to be voted on reconsideration is the original article on the budget voted earlier this month." Nowhere in the memo was there mention of the 30-day time limit mentioned. As a result of Mr. Gillies' memo, Tori relied upon his memo and understood 1) that the Town had an option on how to repay itself for the deficit and 2) that there were no time restrictions on addressing this issue when she presented this option to the board on May 17.

Tori read aloud again from John's post: "As best I can determine, never in the history of our town has a Selectboard member taken such an action simply because a decision of the Board did not go their way." Tori clarified that the issue was not about the vote "not going her way", but that there was information that she understood, from two reliable sources, that the voters had an option to repay the deficit in one lump sum or over a period not to exceed five years and voters should be made aware of this.

Lastly, she responded to John's point in his post that stated: "On top of that, the petition that Tori is circulating is clearly invalid. Those who have been involved in town government long enough to have gone through this process before, and those who wish to follow the law, know that reconsideration of a decision at Town Meeting by petition has to be within 30 day of that meeting or in this case by April 4."

Tori referred to an email correspondence with John said that the time for reconsideration is long past. She reminded John she had acknowledged he was correct and that her petition was not one of reconsideration after all for two reasons: the 30-day time lapse and based on additional information provided by the Secretary of State's Office. After the Board voted not to take up the matter, on 5/19/14 she again called the Secretary of State's Office who reported that indeed an option for reconsideration had passed although Mr. Gillies had omitted that information in his memo. Further, she was informed by JP Isabelle, Elections Administrator, that there was another mechanism to move forward and he crafted the language for the petition that was circulated. Lastly, Tori finished by reiterating that this was not about personal wishes, but about applying the information available to make informed decisions, especially when it impacted the "nickels and dimes" of the voters.

Additional discussion around John's listserve post followed. Roz said that she was surprised by the John's post and its inappropriateness. Martha echoed the same sentiments. Anne asked why the Board would not consider asking the voters about how to budget the deficit knowing that it was possible. Jessica said there was new information and that 8% was voted and approved to pay the deficit in one lump sum, but learned there was an alternative. She was surprised that the Selectboard would agree not to make this information available to the voters and then not let the Town vote. Jessica asked, "Why not vote to spread the debt over several years to reduce individual tax burden?" Steve explained his vote was based on that he personally does not like to owe money and he voted to not carry a debt. Paul Perkins felt he was misled at Town Meeting and that if the vote was contingent on information that was erroneous he would expect local government to bring the issue to the voters. He asked why on earth would the Board not want to come back to the tax payers and ask whether the new information would change their votes?

John said his preference as a Selectboard member was to put the issue behind him. The Board reiterated its desire, with the exception of Tori, to not hold a special town meeting to put the issue to spreading the deficit over three years before the voters. Rod said his preference was to receive a petition from the citizens if the matter was going to be brought before the voters.

Lister Liaison – John requested a Lister's have a liaison. Lisa said she prefer not to have John be a liaison. Steve offered to serve as a Lister Liaison.

Cell Service - Rod asked Steve to look into why Strafford does not have cell coverage. Steve called the Governor's office and was referred to The Department of Public Service, which will send him a map of projected area coverage.

Steve suggested the Board discuss future goals for the Town. Rod suggested a retreat and is going to call Thetford and see how they have structured their retreats.

TOWN HIGHWAYS: Lisa distributed a copy of the road crew notice that has been posted in the Valley News. Lisa will post the road crew notice at Coburns, on the listserve, and on the website. A draft road crew job description listing levels of skill for the position was also distributed; Rod and Jon are reviewing the draft job description. Tori said that an effort has been made to scale hourly rate to job skills and experience and the revised road crew job description was part of the overall personnel policy revision.

Meeting was adjourned at 8:49 pm Tori made the motion. Brent seconded. All in favor.

Next Scheduled Meeting: Wednesday, June 11, 2014 7 p.m.

Respectfully submitted,

Victoria Lloyd