

**TOWN OF SHELBURNE
SELECTBOARD
MINUTES OF MEETING
May 25, 2021**

***Meeting held via teleconference.**

MEMBERS PRESENT: Jerry Storey (Chair); Mike Ashooh, Kate Lalley, Luce Hillman, Cate Cross.

ADMINISTRATION: Lee Krohn, Town Manager; Peter Frankenburg, Finance Director; Chris Robinson, Water Quality Superintendent; Diana Vachon, Town Clerk.

OTHERS PRESENT: Members of the public participating in the meeting included Marcy Webster (Media Factory), Bob Lake, Jen Prada, Yasamin Gordon, Joan Lenes, Bill Deming, Maura O'Neill, Tracy Beaudin, Don Porter, Ken Scott, Tom and Jane Zenaty, Scooter McMillan, Susan McLellan, Patricia Fontaine, Ben Eisenberg, Jeanne Kaczka-Valliere, Linda Patterson, Linda Riell, Cara Fabineene Boisvert-DeFazio, Chris Simons, Brian and Jeanne Irwin, Maureen, Amy Guidice, Dana Valentine, Gail Labert, Clara Flynn, Erika Lea, Marcela Pino, Mary Kehoe, Kamanie Buckle, Wesley, Super Stars!, Roz Graham, Jason Grignon, Vivian Jordan, Nicci Micco, Karrie Bowen, Lee Suskin, Sean Moran, Nancy Baker, Andrew Cate, Jen Hoeningberg, Jessica Brumsted, Sandy Bermanzohn, Coach J, Jeff Rettew, Mark Sammut, Tom Karlhuber, Sue Forry, Scott and Jessica.

1. CALL TO ORDER

Chair Jerry Storey called the teleconference meeting to order at 7 PM and welcomed all in attendance.

2. APPROVE AGENDA

MOTION by Mike Ashooh, **SECOND** by Kate Lalley, to approve the agenda as presented. **VOTING** by rollcall: unanimous (5-0); motion carried.

3. MINUTES

May 11, 2021

MOTION by Mike Ashooh, **SECOND** by Cate Cross, to approve the minutes of 5/11/21 as drafted. **VOTING** by rollcall: unanimous (5-0); motion carried.

4. PUBLIC COMMENT

- Jerry Storey announced he will be resigning as Selectboard Chair.
- Nancy Baker urged the town to offer townwide training/orientation for new committee members.
- Ben Eisenberg spoke about the tenor of the Selectboard and having members on committees that reflect the best of the town.

- Sean Moran spoke in support of Jerry Storey and his civility as Selectboard Chair.
- Maura O'Neill spoke in support of making the town an equitable, inclusive place to live, work, and do business, and urged Jerry Storey to resign.
- Susan McLellan spoke of bullying by the equity committee at the last Selectboard meeting during the discussion of committee membership.
- Yasamin Gordon, former member of the equity task force, said the Selectboard Chair and Vice Chair were roadblocks to the committee and the Selectboard needs to commit to training in equity and diversity.
- Sue Forry said there was too much emotion and reaction to the task force at the last Selectboard meeting, and the committee has not defined the process to select members. Jerry Storey was not being rude. Everyone should assume good intentions by others.
- Nicci Micco observed this is opportunity to change structure in the town and do meaningful work.
- Ken Scott said he was impressed with the work by the task force and was disappointed by the resistance he saw to that work by the Selectboard.
- Scott and Jessica spoke in support of the application process by the task force.
- Sandy Bermanzohn echoed the comments made on the work by the task force and the need to educate on diversity, equity, and inclusion.
- Tom Karlhuber spoke in support of the task force and reorganization of the Selectboard.
- Tom Zenaty expressed frustration with the process and the move from the existence of the task force and naming the committee. Jerry Storey stepping down will be a great loss for the community. It is hoped common ground can be found.
- Jeff Rettew suggested the equity item be first on the agenda so people have opportunity to discuss. There could have been a more simple solution to get to the outcome.
- Erika Lea stated the committee is there to make change and not charged with business as usual.

5. SELECTBOARD COMMENTS

- Mike Ashooh said "No Mow May" is in its last week. All are urged to hold off on mowing if possible.
- Kate Lalley stated people are commenting because they care about the community. The situation is a learning and education process.
- Luce Hillman said change is difficult and uncomfortable. The Selectboard has to listen and be willing to change.
 - "Good evening, everyone. Thank you for joining us tonight. It is a terrific thing to see so many perspectives represented here. It's a true showing of an active democracy.
 - As many of you have, I thank Mr. Storey for his time and dedication. I look forward to moving ahead in collaboration with the entire board toward a bright future for Shelburne.

- I bring to your attention that today it has been one year since the death of George Floyd. With his death came a flash point sparking significant change toward equity. We can honor his memory by working together to understand and correct our biases. I am committed to learning and unlearning, to listening and then listening again. I hope you'll join me. As Stacey Abrams said, "Effective leaders must be truth seekers, and that requires a willingness to understand truths other than one's own."
- Thank you."
- Jerry Storey mentioned the George Floyd anniversary, and pointed out the equity task force was his initiative originally.

6. TOWN MANAGER REPORT/UPDATE

Lee Krohn reported:

- National EMS Week and National Police Week recognize those who provide emergency services in the community.
- The funeral of Christie Oxholm was attended by people from across the state.
- Rotary Club dedicated the bike stand at the town offices and had a fund raising event to install two or three more stands in other communities served by Rotary.
- Police, Fire, and Rescue recently held a car wash in support of Make-A-Wish Foundation. The event was very successful.
- There will be a Memorial Day ceremony at the Veterans Memorial on the parade ground.

7. SELECTBOARD REORGANIZATION

Jerry Storey read a statement of resignation as Chair of the Selectboard due to concern of increasing mutual disrespect and public enemy among members. Mr. Storey left the meeting and Mike Ashooh assumed facilitation of the election of Chair and Vice Chair, and spoke of the value of restraint, moderation, communicating and talking openly. All owe Jerry Storey a debt of gratitude for his work on the Selectboard.

Selectboard Chair

MOTION by Kate Lalley, SECOND by Luce Hillman, to nominate Mike Ashooh as Selectboard Chair. There were no other nominations. **VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.**

Mike Ashooh is Selectboard Chair.

Selectboard Vice Chair

MOTION by Cate Cross, SECOND by Luce Hillman, to nominate Kate Lalley as Selectboard Vice Chair. There were no other nominations. **VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.**

Kate Lalley is Selectboard Vice Chair.

8. NEW BUSINESS INTRODUCTION: Shelburne Farmers Market

Jeanne Valliere, Shelburne Farmers Market Manager, explained the plan for the farmers market at the Palmer Farm on the Shelburne-Hinesburg Road. There was discussion of providing public transit to the market.

9. CBC APPOINTMENT(S)

Housing Subcommittee

MOTION by Kate Lalley, SECOND by Cate Cross, to appoint Amy Southworth to the Housing Subcommittee for a three year term ending April 1, 2024. VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

10. PUBLIC HEARING: Proposed Zoning Bylaw Amendments

MOTION by Kate Lalley, SECOND by Luce Hillman, to open the public hearing on the proposed zoning bylaw amendments. VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

The public hearing was opened at 8:11 PM. Lee Krohn briefly reviewed the changes relative to nonconforming signs, roof solar panels, sheds, and fences to simplify the permit process.

COMMENTS

Tracy Beaudin asked if there is a definition of a garden shed, noting property tax is assessed on structures 100 s.f. or larger. Lee Krohn said a shed that is exempt from a permit can be up to 120 s.f. (10' x 12') and no greater than 13' high.

There were no further comments.

MOTION by Luce Hillman, SECOND by Kate Lalley, to close the public hearing on the proposed zoning bylaw amendments. VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

MOTION by Kate Lalley, SECOND by Luce Hillman, that the Selectboard adopt the proposed zoning bylaw amendments as presented on 5/25/21. VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

11. DRAFT WASTEWATER BUDGET INTRODUCTION

Water Quality Superintendent, Chris Robinson, and Finance Director, Peter Frankenburg, introduced the Wastewater Budget. An overview of the Wastewater Department was given. Users of the system are 65% residential and 35% commercial. The current rate is \$13.94 per 1,000 gallons. Expenses in the draft budget to support two treatment plants and associated pump stations are proposed at \$2.15 million (increase of 2.1%). Volume to be billed is anticipated to be 136 million gallons and the rate is proposed to remain at \$13.94/1,000 gallons. The new budget also includes funds for collection system

improvements (\$10,000 increase), sludge disposal (\$10,000 increase), salary & benefits (5.9% increase or \$30,000), and debt payment (\$5,000 increase on loan repayments). Operating expense decreases include maintenance (decrease of \$3,500), electricity (\$2,500 decrease), and professional services (\$7,000 decrease). Debt payments will decrease significantly after the next three years.

Lee Krohn mentioned the solar power being used by the town helped decrease electricity costs at the treatment plants. Wastewater Department staff was recognized for keeping mission critical systems for the town operational at all times.

12. CAPITAL NOTE RENEWAL

MOTION by Luce Hillman, SECOND by Kate Lalley, that the capital equipment note with Union Bank for \$45,000 at an interest rate of 1.15% be approved for one year and the Town Manager be authorized to sign any necessary documents.

VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

13. COVID RELATED MASK POLICY UPDATE

Lee Krohn reviewed the proposed update to the mask policy in town which essentially is to require masks in town buildings open to the public with mutual agreement between parties not to wear a mask, private businesses make their own rules, state and CDC guidelines are in place for outdoor activities.

MOTION by Kate Lalley, SECOND by Luce Hillman, to adopt the proposed mask policy update as presented. VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

14. STORMWATER SYSTEM MANAGEMENT AGREEMENT: Vermont Teddy Bear

MOTION by Kate Lalley, SECOND by Luce Hillman, to approve the Stormwater System Management Agreement with Vermont Teddy Bear as presented. VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

15. TELECOMMUNICATIONS ORDINANCE

Lee Krohn explained the ordinance should be updated to shift the Telecommunications Board jurisdiction from the Planning Commission to the DRB.

A resident stated the ordinance needed an overall update to ensure Shelburne has control over telecommunication facilities proposed in town.

MOTION by Kate Lalley, SECOND by Luce Hillman, to schedule a public hearing on June 22, 2021 on the proposed “Phase 1” amendment of the Telecommunications Ordinance to shift jurisdiction from the Planning Commission to the DRB.

VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.

16. CSWD FY22 BUDGET

MOTION by Cate Cross, **SECOND** by Kate Lalley, to approve the CSWD FY22 budget as proposed with anticipated revenues of \$12,954,793 and anticipated expenses of \$12,323,072 with the balance allocated to reserve funds. **VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.**

17. “RAISE THE BLADE” CONCEPT

MOTION by Kate Lalley, **SECOND** by Luce Hillman, to endorse the “Raise the Blade” concept that encourages people to mow their lawn no shorter than three inches. **VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.**

18. NEW ROAD NAMING & E-911 NUMBERING ORDINANCE

Lee Krohn reported the ordinance needs to be revised to require house numbers to be at least three inches in height. Staff will update the ordinance accordingly.

19. EXECUTIVE SESSION: Labor Relations; Litigation

MOTION by Kate Lalley, **SECOND** by Luce Hillman, pursuant to 1VSA313 to find that premature public knowledge of labor relation agreements with employees and pending civil litigation to which a public body is a party would clearly place the town at a substantial disadvantage. **VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.**

MOTION by Kate Lalley, **SECOND** by Luce Hillman, pursuant to 1VSA313 to enter consecutive Executive Sessions with the first session to consider labor relations agreements with employees and the second session to consider pending civil litigation to which a public body is a party, and to invite the Town Manager to attend both sessions. **VOTING: unanimous (4-0)[Jerry Storey not present for vote]; motion carried.**

Executive Session was convened and the regular meeting adjourned at 9:32 PM.

RScty by tape: MERiordan

For the Selectboard

Date