

GUILFORD SELECTBOARD - MEETING

Monday, February 13, 2023 6:30 p.m. 236 School Road, Guilford, VT 05301

MINUTES

SELECTBOARD MEMBERS PRESENT: Zon Eastes, Chair, Michael Becker, Rusty Marine (via Zoom), Verandah Porche, Richard Wizansky (via Zoom)

OFFICIALS/ STAFF PRESENT: Sheila Morse (Interim Town Administrator), Dan Zumbroski (Road Commissioner)

PRESENT in person: Austin Rice (BCTV), Steve Lembke, Richard and Patty Bullock, A. Lyle Howe, Nancy Detra, Christina Belogour, Kyle Parker, Connie Burton, Dolores Clark

PRESENT via Zoom: Erika Elder, Marty Ramsburg, Don McLean, Sheila Adams, Anne Rider, Tammy Sargent, Jason Herron, Ragan Anderson, Chris Beebe

- I. Call to Order 6:31 pm
- II. Welcoming of Public – Community Comment Period (10 minutes)
 - a. Verandah reported that there's a new AlAnon meeting at the Guilford Community Church every Wednesday evening at 7:00 p.m.
 - b. Sheila Adams provided information about the Vermont Worker Center, started in 1998 in central VT by low income workers to learn how to secure livable wages and support one another. It's a member organization, non-partisan but they are political, and democratically run. For example they worked on Act 48 for single payer healthcare. Sheila noted that the process of Medicaid redeterminations starts on 4/1. There will be a meeting on 2/22 from 2 - 4 p.m. at Brooks Library to learn about how this redetermination process might affect Medicaid recipients. Go to <https://workerscenter.org/>. Also note that the healthcare advocate healthline can be reached at 1-800-917-7787
- III. Changes to Agenda Order: addition of report of ARPA SB subcommittee
- IV. Approval of Minutes (2 minutes)
- V. Regular Meeting - date
 - i. **ACTION:-** Richard moved to approve the minutes of the regular meeting of 1.23.23 as written. Verandah seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
 - ii. **ACTION:** Richard moved to approve the minutes of the special meeting of 1.25.23 as written. Michael seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
- VI. Updates & Reports
 - a. Highway (5 minutes)
 - i. Busy with ice storms of late. Roads have potholes and the crew has been trying to fill them but the ice is melting in layers, making the job tougher.
 - ii. Have three pieces of equipment that need to be replaced: current chipper is from 1992 and it needs to be replaced; the tractor/mower and the grader. Dan

GUILFORD SELECTBOARD - MEETING

Monday, February 13, 2023 6:30 p.m. 236 School Road, Guilford, VT 05301

signed up to work with Sourcewell, a governmental cooperative purchasing service that secures price quotes from a range of local suppliers and provides them to the purchaser to assess. Dan has been looking at various supplier quotes and also determining if there's value in trading equipment or selling it outright, rather than using any residual value as trade in.

- iii. **ACTION:** Zon moved to approve working with Sourcewell, a cooperative purchasing service, as needed. Richard seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
- iv. **ACTION:** Richard moved to amend the motion to consider use of Sourcewell on a case by case basis. Rusty seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
- v. **ACTION:** Interim Town Administrator will align working with Sourcewell with the recently adopted procurement policy.

- b. Zoom vs. In-person Meetings (5 minutes)
 - i. Update on hybrid vs in-person only meeting
 - ii. Richard wants to know the course of events by which the decisions were made

VII. Old Business

- a. Auditor Engagement Letter - Mudgett Jennett & Krogh-Wisner for FY23 (2 minutes)
 - i. **ACTION:** Michael moved to approve the third year of the contract with the Town's professional auditors. Verandah seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
- b. Accepting e-bike grant award (10 minutes)
 - i. **ACTION:** Verandah moved to accept the grant. Richard seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried. It was noted that for the first two years of bike ownership there would be no cost to the Town. Annual cost thereafter would be about \$228 per year (electricity, liability insurance, and miscellaneous expenses). This grant is a way for the energy committee to encourage residents to reduce their personal energy consumption and to enjoy themselves.
 - ii. **ACTION:** Interim Town Administrator is to research the amount of liability coverage the Town gets for \$55 insurance premium per bike. (It is \$10,000,000 per occurrence.)

VIII. New Business

- a. Planning Commission size (5 minutes)
 - i. **ACTION:** Zon moved to increase the size of the Planning Commission from five to seven. Richard seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
 - ii. Jason Herron urged that someone from the farm community be appointed to the Planning Commission.
- b. Municipal Energy Resilience Program -Audit opportunity (2 minutes)
 - i. Sheila advised Selectboard of the MERP program. It is so new that there is no process underway yet. The State hasn't appointed a firm to handle audits.

GUILFORD SELECTBOARD - MEETING

Monday, February 13, 2023 6:30 p.m. 236 School Road, Guilford, VT 05301

- ii. To prepare for the program, Guilford needs to
 - 1. identify which of the buildings it owns
 - 2. which one is a priority for an energy audit
 - 3. what the hoped for outcome is (e.g. solar panels, bringing the envelope of the building up to grade, etc.)
- ii. Currently, Guilford spends just under \$10,000 for electricity and heat per year. We are linked to the Windham Solid Waste district solar field and get a discount on electric costs. The town office uses oil for fuel; the library uses propane for fuel. If we were to convert to solar energy, there would be a significant conversion cost for a new heating system for either building.
- iii. Option: Improving the Building Envelope: Of the 4 buildings Guilford owns - Town Office, Library, Museum, Town Garage - the library seems the most likely candidate for an implementation grant to improve the energy standard of the building envelope. The Town Office was renovated in 2018; the museum is, to put it mildly, a piece of work, and the Town Garage is always open to the elements. BUT, the library may still go through an expansion project, so it might not make sense to work on the existing structure if that work would then be undone by expansion.
- iv. Option: Solar Panels: the Town Garage and the Town Office could perhaps benefit from solar panels. Again, given the uncertain future plans for the library, it's unclear where a potential investment would be best.
- v. At this point the Energy Committee, Planning Commission and the office of the Town Administrator are keeping up to date on this program.
- c. Appointment of sub-Committee to interview candidates (2 minutes)
 - i. **ACTION:** Zon moved to retroactively approve the sub-committee (Zon Eastes and Richard Wizansky) to interview candidates for Town Administrator and Assistant Treasurer. Michael seconded. The vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
- d. Revised Personnel Policy (10 minutes)
 - i. **ACTION:** Richard moved and Michael seconded that the discussion of revisions to the Personnel Policy be tabled. The vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.

IX. Finance

- a. Warrants (5 minutes)

Payroll - WE 01.29.23	\$6,151.84
Payroll - WE 02.05.23	\$6,523.32
Payroll -WE 02.12.23	\$6,455.84
Refund Warrant 22REF	\$6,740.20
Expense Warrant #2215	\$80,202.24
TOTAL	\$106,073.44

GUILFORD SELECTBOARD - MEETING
Monday, February 13, 2023 6:30 p.m. 236 School Road, Guilford, VT 05301

ACTION Verandah moved to pay finance warrants as read. Zon seconded. The vote was by roll call. All were in favor. None were opposed. None abstained. Motion carried.

X. Other Business: report of Selectboard ARPA sub-committee (5 minutes)

The subcommittee met on January 26, 2023 and made the following recommendations in regard to moving the ARPA funding process forward.

1. The selectboard will accept written suggestions for projects to be considered for funding from town residents via letter or email to the Chair. Letters should include the name or names of the recommenders, the suggested project, the need and, if possible, an approximate cost. The Selectboard will consider the project and determine if further exploration is warranted, including an in-person invitation to present the project to the Board.
2. Two members of the Planning Commission should be added to the subcommittee. The sub committee's charge should be to brainstorm ideas for potential ARPA funded projects, including, but not limited to, review of the ARPA community survey and the town operating and capital improvement budgets which may contain projects that meet ARPA funding criteria and will serve Guilford in the present and/or future. Following the review, the subcommittee should report to the Selectboard with recommendations for projects to be funded.
3. **ACTION:** Zon moved that the Selectboard accept the recommendation and Verandah seconded. The vote was by roll call. All were in favor. None were opposed. None abstained. Motion carried.

XI. Communications

- a. Monaghan Safar Ducham Legal Fees 2023
- b. Australian Ballot petition
- c. Anonymous query re Tiny House requirements
- d. Interest in Town Constable or Dog Officer position
- e. Friends of Algiers Village ARPA Grant application

XII. Executive Session to discuss personnel issues per 1 V.S.A. § 313 (a)(3) to discuss the appointment or employment or evaluation of a public officer or employee.

- a. **ACTION:** Zon moved to enter into Executive Session to discuss personnel issues per 1 V.S.A. § 313 (a)(3) to discuss the appointment or employment or evaluation of a public officer or employee and to invite the Interim Town Administrator to join. Richard seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
- b. The Selectboard entered Executive Session at 8:20 p.m.
- c. **ACTION:** Zon moved and Verandah seconded to exit Executive Session at 8:38 p.m. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.
- d. **ACTION:** Zon moved to extend an offer to the preferred candidate for the Assistant Town Treasurer position with the sub-committee to negotiate an employment contract. Richard seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.

GUILFORD SELECTBOARD - MEETING

Monday, February 13, 2023 6:30 p.m. 236 School Road, Guilford, VT 05301

i. It was noted that appointment of an Assistant Treasurer is the responsibility of the Treasurer, not the Selectboard. The Selectboard will address this question separately.

e. **ACTION:** Zon moved to extend an offer to the preferred candidate for the Town Administrator position with the sub-committee to negotiate an employment contract, Richard seconded. Vote was by roll call. All were in favor. None were opposed. No one abstained. Motion carried.

XIII. Action Summary from Previous Meetings

- a. Connie Burton and A. Lyle Howe to the Board of Civil Authority, effective Feb 1, 2023.
- b. Approval of BCTV contracts
- c. Approval of Class II liquor license for Warwick and West, dba Guilford Country Store
- d. Approval of budgets for presentation to voters at Town Meeting
- e. Approval of Procurement and Meeting Procedure policies
- f. Decision to reject a petition to include an article on the Australian Ballot, per advice from VLCT

XIV. Actions Taken

- a. Approved minutes of two prior meetings
- b. Approved working with Sourcewell purchasing cooperative to acquire Highway equipment; update Procurement policy accordingly
- c. Approved professional audit engagement letter
- d. Accepted e-bike grant award; determine amount of liability coverage provided for \$55 premium
- e. Approved increasing the Planning Commission membership from 5-7
- f. Retroactively appointed personnel subcommittee
- g. tabled discussions of revisions to the personnel policy
- h. approved warrants
- i. voted to extend offers to assistant town treasurer and town administrator preferred candidates

XV. Actions to be Taken - NONE

XVI. Adjournment

ACTION: Richard moved to adjourn. Verandah seconded. All were in favor. None were opposed. None abstained. Motion carried. Meeting was adjourned at 8:44.

Meeting video - <https://www.brattleborotv.org/guilford-selectboard/guilford-sb-mtg-21323>

Attached is a **DRAFT** of answers to questions raised at this meeting by participants.

Next Selectboard Meeting: Monday, February 27, 2023 at 6:30 p.m.

Zon Eastes, Chair



Michael Becker



GUILFORD SELECTBOARD - MEETING
Monday, February 13, 2023 6:30 p.m. 236 School Road, Guilford, VT 05301

Rusty Marine _____

Verandah Porche Verandah Porche

Richard Wizansky _____

ADDENDUM TO MINUTES

RESPONSES TO QUESTIONS RAISED AT 2.13.23 SELECTBOARD MEETING

Elected Town Auditors vs. Professional Auditors

Who defines the role of the elected auditors?

Elected auditors only have specific authority by state law for compiling the town report information. There is no implication that elected town auditors have any responsibility for oversight of a town's finances, according to Vermont statute

See: <https://www.vlct.org/annual-auditors-report-faqs>

Was the elected town auditor role properly restricted by a prior Selectboard?

The Selectboard has not changed the prescribed role of the elected Town Auditors.

Can residents vote to authorize a body other than the SB to appoint a professional auditing firm?

No. The selectboard can choose to hire a CPA for an audit any year by its own discretion. Citizens cannot force certain authorizations on the town. The SB may grant authorization to other community bodies.

Authorization to use a portion of the principle to pay down the final loan payment and rationale for doing so?

Following from the Minutes of the 10.12.22 Selectboard Meeting

Reallocation of Funds: VT Bond Bank loan; legal fees 5 minutes

In attending to the budgetary health of the Town a number of issues have come to light in the past weeks. The final payment of the principal on the \$195K bond fund was not included in the FY2023 budget approved by residents. * *The board needs to determine the source of funds for the amount owed: \$19,793.28. The Vermont Bond Bank counseled that the Town may apply any balance in the fund to the final payment. Doing so would reduce funds available to cover the cost of a project approved by the voters, which also meets the terms of the Fund to \$175,206.72.

ACTION: Zon moved that the SB approve the use of the bond principal to pay down the remaining amount owed on the loan, contingent on confirming that the use of the funds in this way is allowed by Vermont law. Richard seconded. All were in favor. None were opposed. No one abstained. Motion carried.

***In fact, \$24,500 was budgeted for "transfer to Waterline Fund" and had been for the past 10 years. However, it wasn't until after this meeting that the professional auditors confirmed that the Waterline Fund transfer was, in fact, for paying the Vermont Bond Bank principle plus interest. Heretofore the dots had not been connected by current or prior selectboards, finance advisory committee members, and town office staff.*

Appointment of Interim Town Treasurer

Following from the Minutes of the 10.12.22 Selectboard Meeting

Appointment of Assistant Treasurer 5 minutes

GUILFORD SELECTBOARD - MEETING

Monday, February 13, 2023 6:30 p.m. 236 School Road, Guilford, VT 05301

Zon explained that the above discussion (related to budgets and legal fees) is indicative of a number of financial issues that Guilford has worked to resolve over the past months. He noted that Penny is retiring from both Clerk and Treasurer positions in March 2023. In consideration of her recommendation to the SB to appoint a qualified treasurer following her retirement, he stated that it's in the best interest of the SB to consider how to act on her recommendation, and to determine how to recruit an appropriate candidate who can take on the Treasurer responsibility. Penny's statement in the forthcoming Gazette reads: "the underlying fundamentals and challenges of municipal finances have become increasingly complex. That trend will probably continue. Guilford needs a Treasurer with expertise in municipal accounting and finances. To that end, I feel that appointing a qualified Treasurer would be the best course of action for Guilford."

ACTION: Richard moved to put the question of appointing a treasurer on the March 2023 Town Meeting Warrant on the ballot. Rusty seconded. All were in favor. None were opposed. No one abstained. Motion carried.

ACTION: Zon moved that Penny and Sheila, in consultation with VLCT, draft a Treasurer job description for Selectboard review, *whereby the Town treasurer could appoint an interim treasurer*. Michael seconded. All were in favor. None were opposed. No one abstained. Motion carried.

Best practices have been followed: Job description created, job posted repeatedly, interviews conducted, approval by Town Clerk of the process, and appointment of the Selectboard's preferred candidate – Elly Majonen.

Appointment of new Planning Commission members

A resident asked for someone from the farming community to be appointed. That information has been shared with the Chair of the Planning Commission.

Liability coverage the Town secures with a \$55/bike premium \$10,000,000 per incident

Generators at Guilford School? Waiting to hear from the EMD and GVFD