Windham Selectboard

Regular Meeting

August 15, 2016

Present: All Select Board members in attendance. See attached attendance sheet.

Called to order at 6:30pm.

1. **Additions and Deletions to the Agenda:** A letter came in to the SB with photos. The Board will take this up during correspondence. Kord brought up the topic of public comment being put off until the end of the meeting.

2**. Minutes of August 1, 2016:** Bob Bingham made a correction to the minutes of 8-1-16 that the zoning update that the Planning Commission is working on is for regulations and not an ordinance as listed in the minutes. Maureen moved to accept the minutes as corrected by Bob. The Board voted all in favor.

3. **Minutes of August 3, 2016 Special Town Meeting:** Maureen moved to accept the minutes from the August 3, 2016 Special Town Meeting. The Board voted all in favor.

4. **Road Report**: The road crew is working on ditching presently. Josh has been taking his vacation in bits and pieces throughout the summer. A little more paving may have to happen on Windham Hill Road to maximize the grant reimbursement. The Town needs will need to use about 400 more tons.

5. **Town Clerk Report:**

**Primary Election:** This went smoothly and efficiently.

**NEMRC Dog Program:** Frank made a motion to buy the dog licensing module from NEMRC. The cost is approximately $400.00. The Board voted all in favor.

**DMV Services Considered:** Jo-Jo is looking into the what it would take for the Town to be able to provide registration renewals for the Department of Motor Vehicles. She is waiting on word from the Commissioner of Motor Vehicles.

**6. Planning Commission Update:** Bob Bingham gave an update on the Planning Commission’s project updating the current zoning regulations to match the Town Plan. The Town has a Municipal Planning Grant and gets assistance from WRC. They are close to having a rough draft and are planning to hire Gerald Tarrant, an attorney who helped with the Town Plan. Bob is asking the Board to approve the use of Gerry. WRC will update the Town zoning maps. Bob reviewed the grant budget (see attached). Chris Cummings is recommended by Bob to serve as the intermediary between the Planning Commission, attorney, select board, and planning commission.

7. **Treasurer:** There is $287,074.00 in the Town’s bank account. Tax bills are being paid.

8. **Board Followup to the Planning Commission Report:** Frank pointed out the recent stories in the news about stormwater problems in the Lowell, VT, wind project. An issue that was recently brought up is problems with the effectiveness of the level spreaders at this project that are intended to serve as erosion control. Frank has been dubious about these and brought up his concerns with the Agency of Natural Resources (ANR). Trey Martin, Deputy Director of ANR, signed off on these structures as functional. David Deen, chair of the Fish, Wildlife and Water Resources Committee at the Vermont House, has disagreed with this. There was a recent Rutland Herald editorial on this (see attached). Frank passed out pictures of a level spreader.

9. **Hazardous Building:** Further complications with the engineer’s schedule require rescheduling the visit scheduled for Tuesday, August 16. The date will be determined.

10. **Better Backroads Agreement:** This agreement has been signed and this grant will enable the Town to develop a plan for the maintaining the roads and structures, as well as training the road crew on ditching with the grader.

11. **Public Participation:** Kord reported that he has received complaints from two people who are unhappy with the Select Board changing the period for public comment to the end of the meeting from the beginning. Frank said the idea of moving the comment period came from a recommendation by VLCT. Bob Bingham suggested that people who want to make comments arrive at the meeting later to allow the Board to get through some of the agenda.

12. **Road Crew Evaluations:** Frank suggested that the road crew evaluations might need to be redone because the whole Board has not reviewed them. Kord explained that the evaluation system is still being developed and that he was under the understanding that he was to develop a system and conduct the evaluations. Kord said it was never his intention to exclude the Board and only to include them in the process. He will bring more information to the next meeting.

13. **Ballot Language:** Now that the Town has approved thevote by Australian ballot on the wind turbines, Iberdrola has proposed ballot language that Frank read aloud. Iberdrola’ proposed language states: Shall the registered voters of the Town of Windham approve development of the Stiles Brook Wind Project, as proposed by Iberdrola Renwables to be located on the Stiles Brook Forest, owned by Meadowsend Timberlands, Ltd. (See attached).

Iberdrola will come up with a proposal package to be finalized this fall. There was much discussion about whether Iberdrola will honor the results of the vote, would any discussion by the Town with Iberdrola be seen as negotiating and supporting the wind project, the disappointment that the proposed ballot language did not specify any other wind projects that might be proposed if the Town should vote to not allow the Iberdrola project

Alison will draft a letter stating the Board’s position to accept the ballot language as proposed by Iberdrola with the understanding that Iberdrola’s definition of a fair vote is 50% of the votes cast by registered voters +1, as they have previously stated publicly.

14. Bills and Correspondence: The Board signed bills and reviewed correspondence. Eckman Engineering just sent out the RFPs for bridge #31, formerly known as Ernie’s bridge. Kord said the bills to Eckman Engineering are being withheld in light of some questions still to be answered.

The Board discussed appointing a voting delegate to the VLCT annual business meeting. Maureen offered to take on this role. The Board reviewed a letter and photos from Betty and Jerry Lower

15. Next Meeting: The first Monday of September is Labor Day. The Board decided its next meeting will be on Tuesday, September 6.

16. Motion to Adjourn: Frank made a motion to adjourn at 8:30 pm. The Board voted all in favor.

Adjourned at 8:30 pm.

Date Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Select Board Clerk: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

For File: Email from Trey Martin, Deputy Secretary of State

Email from David Deen

Editorial from Vermont Herald “Power behind Wind”

Excerpt from Windham Town Plan

Jenny Briot letter

Letter from Iberdrola with the proposed ballot language

State of Vermont Municipal Planning Grant Agreement

Attendance Sign in Sheet

Packet of photos from Betty and Jerry Lower