Windham VT Selectboard Meeting Minutes

June 21, 2021 Regular Meeting

In Person: Via Zoom:

Maureen Bell, Selectboard Chair Kord Scott, Selectman

Vance Bell, various positions George Dutton, Selectman

Dawn Bower, various positions Marcia Clinton, CAC

Sally Hoover Bill Dunkel, various positions

Louise Johnson, Town MHC Mike McLaine, Town Clerk

Tom Johnson, various positions Imme Maurath, various positions

Kathy Jungermann, various positions Stephan Maurath

Kathy Scott, Treasurer

Gail Wyman, Assistant Treasurer

**Call to Order:**

Maureen announced the meeting and called it to order at 5:31 PM

**Additions to Agenda/Announcements/Reminders**

The Windham Regional Commission (WRC) hearings for their plan will take place (on Zoom) Tuesday at noon and Wednesday at 5PM. Just ask for the links if you want to attend.

**Act on minutes from June 7 regular Selectboard Meeting**

Motion: To accept the minutes of the June 7 regular Selectboard Meeting – moved by Maureen. All voted in favor.

**Public Comment**

There was no public comment.

**Correspondence**

Letter from Census Bureau asking for a code number. Maureen spoke with Mike about it. He thinks it might have to do with the disbursement of the County ARPA funds. Maureen will check into it.

Received a contract from the Windham County Humane Society. We never contracted with them before because we didn’t have an Animal Control Officer. Now that we are entering into the agreement with the Windham County Sheriff’s Office for animal control, we need a place to put impounded animals. The cost of the annual contract is $350. Kord thinks the placement of animals might be covered by the Sheriff’s contract; he will talk to the Sheriff about this and advise. In the meantime, we should allow Kord to sign the contract if that is necessary.

Motion: Pending Kord’s conversation with Sheriff Anderson, if this is the right avenue for us to take, we authorize Kord to sign the agreement with the Windham County Humane Society – moved by Maureen. All voted in favor.

Just one further note, we received some more written complaints about the Clay’s dogs. It doesn’t seem like there is much we can do until the July 1 date when we have the Sheriff’s officer on board.

**New Business:**

**VLCT Webinar on Accessing Local Fiscal Recovery Funding (ARPA)**

Maureen attended a Vermont League of Cities and Towns (VLCT) webinar last week. She is having a hard time trying to figure out exactly what we can use this money for. As far as she can tell, our uses for it would be simply to make direct cash payments to residents and to use it for stormwater run-off infrastructure. Kord looked at the material and put calls in to both the VLCT and WRC asking if they have any point persons who could specifically help us navigate through the details and maximize the benefit for us. A point person from Town must register to use the portal and the VLCT suggests it be the Selectboard Chair.

Motion: To appoint Maureen as the point person for dealing with the disbursement of ARPA funds. All (2, very enthusiastically) voted in favor.

When Kord hears back from the VLCT or WRC with some details, he’ll let us know. If we must have a special meeting to deal with this, we will arrange that.

**Local Hazard Mitigation Plan (LHMP) 2015 – expired**

Kathy J started thinking about our LHMP, which we found out expired in November 2020. Wondering if we need to re-invent the plan or if it can simply be updated. As co-Emergency Management Directors, Imme and Kathy J agreed to start the process with the WRC and figure out how we go about getting the plan updated and approved.

**Old Business:**

**Thoughts from the Planning Commission on paramilitary operations and helipad regulations**

**Helipads** – in February the Selectboard received a letter from John Zicconi from the Vermont Transportation Board letting us know that in recent years there has been a significant increase in applications for helipads. After studying the issue, it is the Planning Commission’s (PC) unanimous recommendation that the SB adopt a specific ordinance or have the PC amend the Zoning Regulations to prohibit the landing and take-off of helicopters, except in an emergency. None of the members of the PC feel that there is a compelling reason to allow private helicopters or helipads for recreational or transportation purposes, which outweighs preserving the peace and quiet of the town’s residents, as well as protecting their safety.

If we want to prohibit helicopters and helipads, the PC does not think that adding them to the list of prohibited uses in Section 207 of the Zoning Regulations would be enough. They feel it could be argued that the use of helicopters is not inherently harmful or generally detrimental to public welfare, as are other uses that are specified, such as blast furnaces or bulk storage of explosives.

If the Selectboard agrees with the PC’s recommendation prohibiting helicopters, they feel that it would be wise to consult with an attorney to craft the appropriate language to be in another part of the Zoning Regulations or be the basis of a separate ordinance enacted by the Selectboard.

George is not sure he wants to do this, as he feels the issue would be similar to prohibiting other kinds of recreational vehicles, such as snowmobiles. He feels that the State statute should be enough to protect us.

Bill explained that approval for this would be a 3-step process, beginning with the municipality. If there is nothing prohibiting its use, the assumption is that the Town approves. Then the application moves on to the State and Federal levels.

Again, George expressed his disagreement – he doesn’t necessarily think there is a difference in noise levels between helicopters and snowmobiles.

Kord raised the issue of a helipad even being necessary to land a helicopter. Bill seemed to think it was, but wasn’t totally sure. Kord questioned that if someone were to buy a large piece of property and start flying in, in a helicopter, what would prevent them from doing so? The response is that if it is not a permitted use, then they could be stopped.

Maureen suggested that we think about this for a little while before taking any action. Kord wondered if the Transportation Board mentioned how other towns are dealing with this. According to Bill it simply mentions that most towns don’t have regulations relating to this. Bill’s research shows that in the area, Wardsboro and Stratton do address this and allow helicopters in certain zones. The others either do not having any zoning at all or just do not address this issue.

**Paramilitary operations** – this is being addressed in response to current events at the Slate Ridge facility in West Pawlet. Does our zoning address something like this, or not? The PC has looked into it and determined that we do not presently ban anything like this because Slate Ridge claims to be a school/training facility. The PC unanimously recommends that we take steps to bar a facility like this in Windham. In discussion with Carl Andeer, a staff attorney at VLCT, we find that Section 201 of the Zoning Regulations may not do that because listed permitted uses in some of our zoning districts are education, recreational entertainment facilities and private camps in connection with hunting, fishing or recreational activity. The PC feels the most direct and least complicated way to address this is to add paramilitary/firearms training facilities to the list of prohibited uses in Section 207 of the Zoning Regulations. Carl thought that was a good way to handle it and suggests that if the Town updates its by-laws, included should be a well-thought-out definition of paramilitary/firearms training facility. Carl went on to remind the PC that towns do not have the authority to restrict the possession or ownership of firearms, but they can regulate the use or discharge of them. If the Selectboard wants the PC to continue with this and add the restrictions to the Zoning Regulations, the PC would like to have sufficient access to legal assistance to make sure their proposal is legally sound. The PC cannot imagine that something like this would add anything positive to the Town. Kord and George thought that a consult with our Town Attorney, Bob Fisher, to see where he thinks something like this is going, could be beneficial. It was suggested that we put a 2-hour limit on Bob as a resource and see what he can advise. We also thought that the attorney who helped the PC with the Town Plan might be a good resource. Bill wasn’t sure how to evaluate them and ultimately came up with the idea of speaking with John Bennett at WRC, which costs us nothing!

**Thoughts from the Energy Committee on Window Dressers**

Window Dressers is a non-profit from Maine that helps communities build inexpensive, energy-efficient, attractive storm window inserts. They are custom-made wood frames with heavy plastic inserts and sit inside the house, not outside. They are easily installed. These windows could be as inexpensive as $5 each. The Windham Energy Committee has been working with the Wardsboro and Londonderry Energy Committees to schedule a community “build”. Window Dressers would train local people to measure the windows. That information is sent back to Window Dressers for the cutting; then the parts are sent to the group for the assembly. We need to have orders for 125-150 windows to make this possible. If we can get this number of windows, we can go ahead with the event. Tentative time is set for November 17-21. We need more people to commit to the windows; the Energy Committees are trying to spread the word and ask all of us to do the same. The Committee also asked some other towns to participate. If this comes to fruition, they would like to use The Meeting House for the “build”.

Kord asked how people determine how much their windows would actually cost. Bill has never been able to ascertain that info, but Window Dressers aims to give 30% of people in the build financial assistance. As far as Bill can determine, it’s all done on the honor system – they don’t ask for financial statements.

Imme asked about storm windows in The Meeting House. It was determined that there are outside storm windows on the first floor. There are none upstairs. Bill believes that the Window Dressers would be good for this and will look into this.

Please spread the word about this program.

**Rescue Inc. – continue the discussion**

We were asked to re-visit the issue of hiring Rescue Inc. to handle emergency medical situations in Town. A committee was formed 2 years ago to look into this idea. Their report doesn’t make a recommendation. George feels that the response time to South Windham would be significantly less with Rescue Inc. than with Londonderry Voluntary Rescue Squad. There are more fees involved in using Rescue Inc. As there are many sides to this issue, pros and cons for both, Kord wonders if we should bring this up as a discussion point at Town Meeting to get input and thoughts from more people. We will keep talking about it to see what residents have to say.

**The Meeting House:**

**Activities will resume – Library, Tag sale, Private events**

With the Vermont State of Emergency lifted, things are getting back to normal, and the building will now be open to various activities such as Library meetings (Wednesdays 3-5 as well as experimentally Sundays 1-3), exercise class, Selectboard meetings and other events.

**Roads:**

**Part-time seasonal help**

We are still looking for help. There were a couple of interested parties, but no one has been hired yet. The work requires a CDL and involves driving a dump truck, some ditching/culvert work and so on. If you or someone you know is interested, please contact the Road Crew.

**Payroll and Bills:**

Motion: To approve payroll and bills presented and authorize Kord to sign off on same – moved by Maureen. All voted in favor.

**Adjournment:**

Motion: To adjourn the Selectboard meeting at 7:00 PM – moved by Kord. All voted in favor.

Respectfully submitted,

Maureen Bell

Acting Selectboard Clerk