

Town of Eden  
71 Old Schoolhouse Rd  
Eden Mills, VT 05653

February 23, 2021 Selectboard Meeting

The Eden Selectboard met at the Town Office on February 23, 2021. Present: Ricky Morin, Clayton Whittemore, Virginia Parker, Candy Vear, Freeda Powers.  
Also present: Brent Lanpher and John Savage from NHP/Eden Fire Dept.

1. Ricky opened the meeting at 6:00pm.
2. Additions and Deletions to the Agenda:
  - a.) Under #6) Quotes from Sterling Mtn. Solar
  - b.) Under #9b) iii: Desrochers Excavating, Inc.
  - c.) Under #14) Sarah Hyde resignation letter
  - d.) Under #15) LCPC Notice re: Eden Rep needed
3. Citizens Input:
  - a.) Eden resident LaMonda Leone sent an email regarding Airbnb rentals. She shared the impact of Airbnb on her family's quality of life here in Eden, and on their property as out of state weekend renters park their vehicles wherever they chose. She also voiced her concerns on the local environmental and State-wide financial impacts of such short term rentals. While the Board could empathize with her position, the State regulates Airbnb rentals and the Town, with no zoning, does not have enforceable action to take in the matter. As Ricky pointed out, even towns with zoning in place have little authority over them. Virginia wondered if the Constables may be able to offer some support. Ricky noted that the Constables do not possess legal power and suggested that the resident voice these concerns regarding the impact of Airbnb rentals directly to our State representatives. The State of Vermont indicates that reforming the state's short-term rental regulations will be a top priority of the Vermont Chamber of Commerce in the coming legislative session, and input like hers would be appreciated. Additionally, a suggestion was made for the resident to place No Parking signs in areas of concern to avoid the vehicles from damaging or blocking their property. Freeda will draft a response letter to send to Mrs. Leone.
  - b.) The Board spoke with John DiGiuseppe by phone to follow up on Act 164 as it pertains to marijuana cultivation. The Town attorney has spoken with Johns' attorney on this topic in order to gain some clarity on Johns' request to include on the 2021 Town Meeting Day warning a determination whether or not cultivation of cannabis will be allowed in Eden beginning on June 1, 2022. The Board has declined to add this to the Warning at this time based on advice from the Town Attorney. John asked what the

Boards concerns were so that he could directly address them. Virginia explained that the Board is not taking a position either way on the topic, just saying no to a town-wide vote at this time. While the Board does understand John's desire to see this item on the vote this year due to property preparation timeframe among other growing season related times, they reminded him that a vote can happen at any time via a Special Meeting; it is not a case of Town Meeting Day or no vote at all this year. The Board reiterated their position that there is not enough clarity from the State yet on this issue and there is no rush to put it to the vote at this Town Meeting. John said from a business perspective, there is a need to have the vote at this time. Virginia suggested the Town may still consider the creation of a Cannabis Control Board, as recommended by the folks at Prevention Works VT. There was some discussion about the 1% revenue to the Town that has been mentioned; it was noted that Eden would not benefit from this since there is no such tax in place here.

4. Sign orders: Five (5) orders were reviewed and signed.

5. Minutes: The Board reviewed the minutes of 2/9. Virginia made a motion to approve as written, the minutes of the 2/9/21 meeting. Clayton seconded the motion. The Board voted 3-0.

6. Fire Department: John Savage/Fire Chief and Brent Lanpher/Assistant Fire Chief, came before the Board to get input on installing solar photovoltaics at the fire station on Rte. 100 in Johnson. A quote from Sterling Mtn. Solar Co. was distributed to the Board for review. The quote, for 24 solar cells, meter and inverter with warranties on workmanship and equipment, totaled \$19,000. The Fire Department will not qualify for federal and state tax credits because they are incorporated. Monthly payments would be \$140 with the solar installation. After 15 years, the system would be producing electricity at no cost to the department. Brent said the bill at the station now is around \$230/month and rates just continue to rise. John pointed out this is a low use building; only really active when a tone sounds.

Some considerations were yard-installed tracking panels vs. roof mounted fixed panels. The building is not owned by the Fire Department, so if the department were to relocate for any reason, a roof mounted system would be left behind. On the other hand, a yard installed system would incur removal costs.

Ricky cautioned that the utility market is currently flooded with solar energy production; he encouraged Brent and John to reach out directly to other land and business owners in the area who have solar installations for an honest opinion on the ROI. In regards to funding, Brent said we could consider a bank loan through the towns for a better interest rate and to access the tax credits. Ricky said the Town of Eden would be in a position to provide their portion of the funds requested if it was agreed that Good Neighbor Funds would be an appropriate use. The Board agreed that this would be a fitting use of those funds, if the need is determined. Brent and John agreed to reach out locally for feedback on those who have existing systems and will go before the Hyde Park Selectboard for their input next. This topic will be revisited at a later meeting.

7. Grants:

- a.) AFG Grant for air packs for the NHP/Eden Fire Dept. was successfully submitted.
- b.) Structures & Class II (AOT Grants) have been funded for FY22. Eden has submitted their existing applications for paving work on East Hill Road, Bridge work on Blakeville Road and engineering for work on Boy Scout Road.
- c.) Healthy Lamoille Valley offered a mini-grant for up to \$500 to get folks active and healthy. Eden has submitted an application requesting 16 VT State Parks 2021 Passes which, if awarded, will be on loan through the Town Clerks' office at no cost.

8. Outside Audit: The Board reviewed the proposal offered by Kittell, Branagan & Sargent out of St. Albans. This is the same firm that did the audit for Eden several years back. There were no objections to the content of the proposal from KBS. Virginia made a motion to approve KBS' proposal to conduct an outside audit for FY22 for the amount of \$23,000. Clayton seconded the motion. The Board voted 3-0. Freeda will notify the firm of the decision and Candy, as Town Treasurer, will coordinate with them for required schedule and documents.

9. Road Commissioner's Report:

- a.) Crooks Rd. Complaint: The Board reviewed an amended draft response to the concerns of stones in the road sand on Crooks Road. The Board approved of the revisions and requested the letter be sent via USPS to the resident.
- b.) Excess Weight Permits: Clayton made the motion to approve to town specifications excess weight permits for Working Dog Septic Service, Inc., New England Quality Services, Inc. and Desrochers Excavating, Inc. Virginia seconded the motion. The Board voted 3-0. Approved and signed.
- c.) PaveMark letter: The Board received notice from the AOT that center line painting will be taking place this summer, beginning April 1-Oct. 31. The Town has no planned projects on Class II roads that would affect this. Freeda will notify John Wilkin as required.
- d.) Roads & Bridge Standards 2021: The Board reviewed the annual Roads & Bridge Standards for Eden. Virginia made a motion to approve the 2021 Town Roads and Bridges Standards for the Town of Eden. Clayton seconded the motion. The Board voted 3-0.
- e.) Annual Financial Plan 2021: The Board reviewed the annual highway Financial Plan for Eden. Virginia made a motion to approve the 2021 Highway Financial Plan for the Town of Eden. Clayton seconded the motion. The Board voted 3-0.
- f.) Update of other activities of Highway Dept.: Ricky said they've been moving snow. Not much else at this time.

10. Conflict of Interest Policy: The Board reviewed a draft policy regarding conflicts of interest. The Board requested that the document be reviewed by the Town Attorney, per

the recommendation of the VLCT. Ricky suggested the Town update existing job descriptions and draft ones for roles currently without. Freeda agreed to work with Candy to do this. This will be revisited at the 3/9 meeting.

11. Dog Officer/Constables: The Board discussed the current and ongoing need for a dog officer. It was suggested that the role of the Town Constable(s) be reevaluated and for the duties of the dog officer to be once again incorporated into the Constable position. This has been the case in the past for Eden and it may make sense to revert back to that. The Board requested that staff get feedback on this from the VLCT. They will discuss further at the 3/9 meeting.

12. Ratify Additions and Deletions of 2/9:

Under #10) Liquor License for Eden General Store.

Ricky made a motion to approve the additions and deletions from 2/9/21, as listed above #12a). Clayton seconded the motion. The Board voted 3-0.

13. CAI, Inc. Tax Map Maintenance Proposal: Ricky made a motion to enter into executive session under 1 V.S.A. § 313 to discuss personnel matters. The Board entered executive session at 8:21pm. The Board exited executive session at 8:34pm. Ricky stated that no decisions had been made. The Board delayed signing the contract for CAI, Inc. at this time. Discussion will resume at the 3/9 meeting.

14. Other Business:

a.) The VLCT loss report will be available to Board members upon request.

b.) Eden has no changes to report for this years' Census Boundaries.

c.) The Board received written notice of resignation from Sarah Hyde. Her last day as the clerical assistant to the Assessor will be March 2nd. Virginia made a motion to accept Sarah Hyde's resignation from the position of clerical assistant to the Assessor, with her last day being March 2nd 2021. Ricky seconded the motion. The Board voted 3-0. The Board requested that staff hold off on advertising for the position until further clarity can be gained on our plan for moving forward in the Assessor's office.

15. FYI:

a.) LCPC notified the Board that Kristina Brown, rep from Eden, has stepped down from her seat on the LCPC Board of Directors. Eden will need to work to find someone to fill the vacant position.

b.) Candy reminded all board members that they will need to be present to count ballots for the annual school budget on Tuesday, March 2<sup>nd</sup> at 7pm at the school.

16. Adjourn: Ricky made a motion to adjourn. Clayton seconded the motion. The meeting adjourned at 8:51pm.

Freeda Powers, Town Administrative Assistant