

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

Minutes of Regular Selectboard Meeting
January 10, 2013

The Eden Selectboard held a regular meeting at the town office on January 10, 2013. Present at the meeting were: Ricky Morin, Shelley Jones, Harold Morse, John & Rosie Atherton, Lynda Morin, Jeffery Carter, Mike Griggs, Donna Whitcomb, Candy Vear and Tracey Morin (arrived at 7:50PM).

Ricky opened the meeting at 7:00PM. As Tracey was at another meeting in Morrisville and would arrive later in the meeting, Candy would take minutes until Tracey arrived.

Shelley made the motion to amend the minutes of December 26, 2012 to elaborate on what the highway issue was. It was decided to wait until Tracey arrived. Shelley withdrew her motion.

Jeffery Carter spoke to the Selectboard about the revised Town Plan prepared by the Eden Planning Commission with help from LCPC. A copy of the plan was given to the Selectboard to review. The plan is complete with a public hearing set for February 20, 2013 at 6:30PM at Eden Central School. The Selectboard hearing to adopt the plan will be on March 14th. EPC attempted to make the plan more readable, tried to shorten it where possible and make it more non-regulatory (wording of "may" was used to replace "should"). Completion and adoption of the plan clears the way for Eden to receive grant monies and provides a local basis in Act250 and Public Service Board hearings of Eden's wants and desires for its future. Jeff asked the Selectboard to review the plan and notify EPC before or at the public hearing of any changes they may want to make to the plan. Changes made prior to the public hearing expedites the acceptance process as they can be brought to the LCPC sub-committee for review prior to the public hearing; changes made after the hearing will delay it by causing the need for another sub-committee review and public hearing. The LCPC sub-committee review board will meet on January 22nd- EPC members Jeff Carter and Leslie White plan to attend.

Lynda Morin asked everyone if it would be okay if she used her own tape recorder to tape this discussion. Everyone agreed it would be fine. At this time Ricky turned the meeting over to Shelley to chair as he knew this discussion was going to be about him. Ricky felt this was a personal issue and the town shouldn't be brought into it. Lynda wanted to know why the rocks were moved and snow dumped on Mark's property. Ricky stated that these rocks were recently moved out into the roadway by the owner and were causing a dangerous situation for the town. Lynda stated that Mark had not moved these rocks; they had been there since Red Wheelock was Road Commissioner (1999) and that the rocks were moved this summer when the town was

grading. Lynda felt a written notice should have been given. Lynda stated several times that Mark had not moved the rocks; years ago a similar situation involving a tree removal happened and the town when brought to court, lost; Mark's fence was damaged when the rocks were moved; there are several items on other properties that are in the town's right of way that have not been moved; and the town does not own the right of way. Harold stated that the Road Commissioner does not need the Selectboard's approval to remove items in the right of way; legally, he has the right to remove them. Lynda said that Mark had called one of the other Selectboard members on the evening of the incident from his mother's phone – to date, she has not returned the call. Shelley stated that she was not home when this call was received and Mark had carried on to her husband about the incident. It was noted that Mark was calm and collective when he made this call. Ricky said this had been going on since Mark left the town's employment. Mike Griggs who currently plows Baker Rd said that these rocks were not in the road this far when he plowed last year. Harold added that when he plowed the year prior to Mike the rocks were not out that far into the roadway. Ricky had taken pictures of where the rocks were sitting before he moved them. Rosie stated that Ricky works for the town and it was common courtesy to notify people before you do anything on their property. It was brought to the Selectboard's attention that Harold's phone number is not in the phone book or in the town report. Lynda stated that her three year old son witnessed the incident; Ricky holds more than one position in town and did not conduct himself appropriately; he should step down from one of the two positions; and that he should be reprimanded in some way. Ricky stated that Mark hit him first. Lynda said "no, that wasn't how it happened". At this time Lynda, Rosie and John left the meeting (7:40PM). Harold asked to have his phone number printed in the town report (635-9046).

Ricky agreed to any reprimand the Selectboard felt necessary; the rocks were moved prior to Christmas (Mike agreed); Ricky had asked for a letter to be sent to Mark on Dec 18th; the letter was delayed due to waiting for a response from VLCT; at the next meeting, Dec 26th, with still no word from VLCT the Selectboard felt that no letter was needed as the Road Commissioner had the right to move items out of the right of way; Ricky feels that half of this is personal and the other half is town related. Harold stated that from now on he would like the agenda sent via e-mail to him the morning of the meeting so he has some idea what is on it, prior to the meeting.

Neither Health Officer, Amanda Jones nor Animal Control Officer, Bert Manning was present to provide updates. The annual rabies vaccination clinic has been set for March 23rd from 12:30-1:30PM at the town garage. This will be posted in the town report.

Candy has heard back from VLCT about legal representation for the highway incident. Two attorneys were recommended. The Selectboard advised Candy to contact the first attorney listed. Ricky asked to be present when this call is made. This will be done on Monday.

The annual AOT Certificate of Highway Mileage form was reviewed by the Selectboard. There were no changes to Eden highways during the past year. The form was signed and will be forwarded to AOT.

Rosie Atherton returned to the meeting at 7:55PM and asked to speak. Rosie advised that she had just spoken with Brian Jones who said Mark Morin had not ranted and raved at him when Mark had called Shelley & Brian's residence. Rosie was upset that the people who had been put into office could not be trusted and felt Shelley should resign. Shelley offered to give her resignation immediately. After Rosie left the meeting, Ricky asked that Shelley reconsider her resignation, finish this meeting and think about it before making a final decision as this was a personal issue involving Ricky, not Shelley. Shelley agreed.

Candy, Donna, Mike and Ricky discussed with the Selectboard the options and costs presented by VLCT for life and disability insurance for town employees. After reviewing the different plans all employees agreed the Flat Life-\$25,000 (\$33.00) and Disability-Short Plan 4 (\$59.02) would best suit everyone. Currently the town pays \$80 per month for its current coverage which is not adequate or fairly distributed. Shelley made the motion to go with the Flat Life-\$25,000 and Disability Short Plan-4 benefits for FT town employees at the monthly rate of \$33.00 and \$59.02 paid entirely by the town. Approved, with Ricky abstaining from the vote.

The LCPC sent a letter soliciting information for its annual Comprehensive Economic Development Strategy (CEDS) Conceptual Project List. This is a listing of economic development projects important to the region. The Selectboard wished this be forwarded to the Eden Planning Commission for review and comment.

Eden has been advised that future minutes of the LRSWMD will be sent via e-mail.

The Selectboard wished to schedule a special meeting to continue work on the FY13-14 budget. The meeting was set for Wednesday, January 16th at 6PM. Harold will notify the office Monday morning if this date and time need to be changed to Thursday, January 17th.

A petition from Lamoille Home Health and Hospice requesting an increase in its annual appropriation request was reviewed. Candy has checked the signatures and all are registered voters of Eden. Ricky made the motion to accept the petition. Harold seconded the motion. Approved. The increase from \$3,456.00 to \$3,969.00 will be placed in the town warning.

The Selectboard opened the Bullard Award box and selected a recipient from the ballots placed in the box during the last year. The dedication of the town report was discussed. After reviewing potential recipients, one was chosen.

Ricky provided the financial reports received at the Selectboard's joint meeting with the North Hyde Park/Eden Fire Dept. These reports will be included in the town report. The fire department appropriation request is level funded from FY12-13 at \$26,700. The Selectboard was asked to provide the fire department with two letters for the following:

1. A written request for assistance from the fire department with storm damage whenever needed.
2. A written permission to detour traffic onto town highways whenever needed during emergency events.

Harold made the motion for the letters to be written and sent to either Eric Aither or Roger Audet at the North Hyde Park/Eden Fire department. Approved.

Shelley will begin working on the Selectboard Report for the town report. Shelley asked Tracey to send her a list of highlights from the past year.

Harold asked if it was possible to receive a copy of the agenda for Selectboard meetings prior to the meeting. Candy noted items can be added up to 4PM on the day of the meeting but will e-mail a draft copy to him on the morning of the meetings.

Returning to approval of the minutes, Shelley made the motion to correct Pg.1, Par 5 to include name "Mark Morin", address "167 Baker Rd" and "placement of large boulders within town highway ROW" to the 1st sentence. Harold seconded the motion. Approved.

Five (5) orders were reviewed and signed.

Shelley made the motion to adjourn at: 8:45PM. Harold seconded the motion. Approved.

Unapproved minutes.

Candace Vear
Acting Selectboard Assistant

Tracey Morin
Selectboard Assistant