

**Sharon Selectboard  
SPECIAL Meeting Minutes  
July 11th, 2022 FINAL**

*This meeting was held in compliance with the January 2022 VT Open Meeting law amendments regarding fully-remote electronic meetings.*

Participants attending via Zoom: Mary Gavin, Vice Chair; Kevin Gish, Chair; Sarah Pfeiffer, Clerk; Lucy Miller, Finance Assistant; Nicola Shipman, Selectboard Assistant; Galen Mudgett, Lister; Helen Barrett, Lister; Michael Barsanti, Seven Stars; Ken Wright, Lister and Delinquent Tax Collector

Participating by Phone: Frank Rogers, Road Foreman

**Call to Order:**

Kevin Gish called the meeting to order at 6:30PM as warned.

1. **Review/Approve Agenda**

**Sarah Pfeiffer made a motion to approve the agenda as presented. Mary Gavin seconded. Motion approved unanimously.**

2. **Public Comments**

No public comments.

3. **Selectboard Member Reports:**

Mary Gavin shared that a South Royalton Rescue representative, Corinne Ingraham, is coming to present to the Board at the Monday, July 18<sup>th</sup> meeting.

Kevin Gish asked if it is worth considering the idea of a Staff BBQ again, or if it should be put on hold. Sarah Pfeiffer and Mary Gavin both referred to the newer variants which are seemingly more contagious. Sarah Pfeiffer asked if maybe there was an alternative to a public gathering, such as gift baskets or gift cards. Mary Gavin said that she liked Sarah's idea of finding an alternative.

Kevin Gish brought up the ongoing Opioid Litigation and the first payout is about to reach the town and is somewhere in the range of \$490+/- . Kevin said he talked with Deb Jones about creating a fund for any money received, so the board can decide how best to apply the settlement payout.

Kevin asked that Lucy Miller serve as the primary contact for the Opioid Litigation payouts since she is working as the Finance Assistant and will be able to appropriately channel any payments to the correct fund.

4. **Selectboard Assistant Reports:**

Bridge #10 Wing Wall Replacement bids were due today, July 11th at 12:00PM. Nicola Shipman is creating a bid comparison sheet for the Board's review in time for the July 18<sup>th</sup> meeting in anticipation of a bid award.

Nicola also brought forward the quote from JP Pest Control regarding evidence of flying squirrels living in the Town Office building. The quoted rate for controlling the squirrels was just over \$2,400. Mary Gavin suggested that the Town continue to find alternative pest control solutions given the quoted amount seems particularly high. Nicola Shipman will continue to seek solutions that are more affordable to the Town.

5. **Finance Manager Reports: Deb Jones/Lucy Miller**

Lucy Miller reported that she is going to be working with Deb Jones to reconcile the FY22 budget. Mary Gavin asked if there are going to be any headlines or if the trends are continuing in a similar vein to the rest of the fiscal year. Lucy said she doesn't anticipate any surprising information as most expenditures to date have been reported in previous meetings leading up to the Fiscal Year End.

Deb Jones also mentioned that Lucy Miller is working on a tax penalty document that shows area towns and their tax penalty rates to help clearly evaluate Sharon's penalty rates. Lucy will provide the information to the Selectboard in advance of the July 18<sup>th</sup> meeting.

6. **Highway Business/Road Foreman Reports: Frank Rogers**

Frank Rogers said there have been some issues with the grader, and he is waiting for a replacement part. There is an issue with the brakes, but due to the hydraulic system, the engine overheats when the grader does not have fully functional brakes. Road grading will resume once the replacement part has arrived and can be installed.

Ditching, culverts, and mowing continue as is typical for summertime. Frank also has been doing some leg work for the Grants-in-Aids program to be completed Fall of 2022. Projects in the pipeline are the Wing Wall Replacement project for Bridge 10 on Quimby Mountain Road, and the Structures Grant culvert replacement project on Downer Road that will need to go out to bid, and the retaining wall at Bridge 9 on Quimby Mountain Road which is a possible candidate for the Better Back Roads grant funding.

Kevin Gish asked about timelines for the Quimby Mountain projects. Frank responded that there are no timelines set since the RFP deadline for the Wing Wall Replacement was today, July 11<sup>th</sup>, and the Better Back Roads Grant applications are not open until late Fall. The Structures Grant will need to go to out to bid, but the Town does not yet have the fully executed agreement from the State.

7. **Approve Warrants:**

**Sarah Pfeiffer made a motion to approve AP Warrant 1338 from Recreation Fund in the amount of \$1,190.00 with payment to Big Green T's.**

Mary Gavin asked for clarification as to the cost of the programming versus the revenue of the programming in reference to the payments from the Recreation Fund.

**Mary Gavin seconded the motion on the floor. Motion approved unanimously.**

**Mary Gavin made a motion to approve AP Warrant 1339 in the amount of \$3,523.96 with payments to Aubuchon \$74.91, Compucount \$243.22, Consolidated Communications \$120.92, Evans Motor Fuels \$2,903.47, Foley Services \$181.44. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Kevin Gish made a motion to approve AP Warrant 1340 in the amount of \$3,678.00 with payments to Green Mountain Power \$514.42, HP Fairfield \$254.39, Innovative \$2,412.36, LaValley Building supplies \$423.64, Lucky's Trailer \$13.43, Magee office products \$59.76. Mary Gavin seconded. Motion approved unanimously.**

**Mary Gavin made a motion to approve AP Warrant 1341 in the amount of \$1,763.51 with payments to IRS \$19.53, ATG \$1,026.48, Treasury Operations \$250, Valley News \$262.50, Vermont Fire Extinguisher \$105, Green up VT \$100. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Sarah Pfeiffer made a motion to approve AP Warrant 1342 from the Old School House Fund in the amount of \$719.40 with payments to Tarrant, Gillies \$662.40, Vermont Fire Extinguisher \$57.00. Mary Gavin seconded. Motion approved unanimously.**

Mary Gavin noted that the Tarrant, Gillies bill was expensive for the amount of work completed.

**Mary Gavin made a motion to approve AP Warrant 1343 in the amount of \$16,829.99 with payments to Bethel Mills \$219.98, Capital One Trade Credit \$39.99, Cott Systems \$170.00, De Lage \$94.53, Green Mountain Mowing \$503.33, Greater Upper Valley Solid Waste \$15,600.00, Key Communications \$136.16, Magee Office Products \$66.00. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Sarah Pfeiffer made a motion to approve AP Warrant 1344 in the amount of \$18,220.50 with payments to Business Tech \$2,584.00, Old Home Day Appropriation \$750.00, Pine Hill Cemetery Appropriation \$5,750.00, Cathy Sartor \$148.00, Two Rivers-Ottawaquechee \$5,562.50, VLCT \$3,051.00, Windsor County Mentors \$375.00. Mary Gavin seconded. Motion approved unanimously.**

**Mary Gavin made a motion to ratify the HRA Reimbursement Warrant for the month of June 2022 in the amount of \$1,041.02. Sarah Pfeiffer seconded. Motion approved unanimously.**

Deb Jones clarified this is a ratification because, although the Selectboard already approved the HRA reimbursement limit, the ratification allows for transparency when the money is spent.

8. **ARPA/SLRF**

Sarah Pfeiffer and Deb Jones worked to create a Funding Overview for the ARPA/SLRF funding. The Town Garage has been shown to be a top priority to the Selectboard.

Deb and Sarah feel there should be a community survey as well as communication about how that might be implemented.

Kevin Gish agreed that public input is critical for finding out what residents are most interested in achieving. This is one-time money and will not be sustained; Kevin thinks the town should do something special with the funding that wouldn't otherwise be achievable.

Deb Jones explained in more detail the proposed budget for how to start allocating the funding. Action needs to be taken to gather findings from the initial investigations.

The work group is looking for guidance for how to proceed.

Kevin Gish said the outline provided a reasonable place to start and that grant funding would be needed to support the projects. Sarah Pfeiffer asked if the work group plan is heading in the right direction. Kevin Gish and Mary Gavin agreed that this is a good general direction.

There was discussion about a possible kiosk for the Town and location. The total cost for a Kiosk and bike station would be roughly \$2,500.00 or so.

9. **Crushed Stone Estimates:**

Sarah Pfeiffer noted that there was a 0.25 cent difference in price per ton between the two bids.

Frank Rogers said the construction zone on I-89 could be tricky for the town for hauling stone as there is construction and could pose a safety issue for the drivers and the town vehicles. Twin State is on Route 5 in Hartland which allows the crew to avoid the I-89 construction.

Overall, it is about \$1,500 more to go with Twin State versus Pike Industries, but there will likely be some savings in fuel and employee time if it means avoiding the I-89 construction. The Town gets a minimum of 5,000 tons of stone and then will purchase more if needed.

Based on Frank's recommendation and the cost of fuel,

**Kevin Gish made a motion to award the contract for ¾" twin pack to Twin State at a rate of \$9.25 per ton for 5,000 - 7,000 tons. Sarah Pfeiffer seconded. Motion approved unanimously.**

Frank confirmed that the materials are in line with Vermont state specifications.

#### 10. Education Tax Rates Update:

Galen Mudgett stated that the FY23 Education Tax Rate has decreased from FY22.

The Homestead Education Tax Rate to be assessed is \$1.5874, which is 0.089 cents lower than FY22.

The Non-Homestead Education Tax Rate to be assessed is \$1.6556 which is 0.0465 lower than FY22.

The non-education tax rate is set by the State legislature, versus the education tax rate which is calculated per 32 VSA 5402(b)(1) by the town voter approved per pupil education spending adjusted by the Common level of Appraisal (CLA).

The CLA is determined by the assessed values of the sales in the town for the last three years divided by all the sales prices in that time.

Galen also noted there was a more than \$2 million increase in Grand List.

Mary Gavin asked what the reason for the increase in the Grand List might be.

Galen answered the increase is primarily due to two factors: 1) new construction as new houses were built in the town, and 2) there was work done by the listers to ensure that lots were assessed for construction completeness, some of which had been hampered by COVID.

Galen doesn't need additional action at this time, but the Selectboard will need to set the municipal tax rate at the July 18<sup>th</sup> meeting. Nicola Shipman will add this to the agenda for the next meeting.

Ken Wright also said there were not many grievances, and so the Grand List is unlikely to fluctuate much from what it is currently.

## 11. Tax Sale Update:

Ken Wright said that a Tax Sale is a serious situation, and there are 12 families who could be affected, and so it is worth putting careful consideration into this discussion. Ken did share that many of these properties are as much as 6 or 7 years in arrears, and it seems the economic effects of COVID seem to be settling out. He also noted that area towns are resuming tax sales.

Ken Wright said he wants the Selectboard to know that he is proceeding with extreme caution. He also notified the Board that the State will not allow a tax sale on any property that is going through the VT Homeowner Assistance Program process.

Ken thinks the timing for a tax sale might be ideal, as there is currently State funding available for homeowners who have primary residences in the Town. There may be Sharon residents who would qualify for tax payment assistance due to COVID-related financial hardship.

Mary Gavin asked Ken Wright if any of these 12 suggested properties are currently working with the Vermont Homeowner's Assistance Program. Ken Wright confirmed that none of these properties are in the program to date. Deb Jones is aware of about 5 people in the town who have applied, but 4 of the 5 had already paid the tax owed. Only one family had a tax balance within the COVID time-period, and that tax balance has been paid to the Town by the State.

Currently, total back taxes owed to the town is \$176, 417.00 and there is an additional \$62,261.00 in penalties and fees for a total of \$238,678.00 owed to the Town.

The minimum bid for a tax sale is computed using the tax owed, interest owed, sundry bills, legal fees plus delinquent tax collector's fees.

Three of the 12 that are under consideration are wooded plots of over 70 acres each. The state stipulates that the Town can allow homeowners to subdivide a portion of the property equal to the value of the minimum bid, which may then be put up for tax sale, thus leaving the homeowner's dwelling intact.

Mary Gavin also asked if those 12 properties could represent a large expense to the town since, if the properties do not garner interest, the Town would be liable for paying the legal fees and could become the default minimum bidder. Mary Gavin wondered if it would be worth taking two or three of these rather than all 12. Ken Wright does not consider that to be a solution.

Ken Wright suggested that there is a point in time at which the Town is responsible for tracking down the money owed by the delinquent tax properties. After being recognized by the Chair, Helen Barrett said it is important for the Selectboard to not become a bottleneck to the Delinquent Tax Collector in his role, as it is the role he is elected to by the voters.

Sarah Pfeiffer asked if all property owners on the proposed list are aware of the Homeowner's Tax Assistance Program. Ken stated that he has done his due diligence to educate all property taxpayers with regards to the information about the Homeowners Tax Assistance Program. He also said he has spoken to many of them over the phone.

Deb Jones said the timing of tax assistance is specifically related to COVID relief and is specific to a declared homestead. That said, there is not often an opportunity when a Town can simultaneously hold delinquent taxpayers accountable while also possibly being able to guide property owners towards state funded property tax payment assistance.

Kevin Gish asked if there was anything unique in the tax sale with regards to the mortgage. Ken Wright stated that the buyer would not assume the mortgage. Galen Mudgett stated that the mortgage company loses all stake once the property goes up for tax sale. Town debt steps in front of mortgage debt, according to Ken Wright, but he also made clear that the bank, as the mortgage holder can choose to make a minimum bid on a tax sale and then move the property into foreclosure.

Deb Jones said that there are currently homes in the town that are in foreclosure, and their property taxes are paid for by the bank.

Galen Mudgett stated that as the foreclosure progresses, there is a document filed in the land records showing that the property has been foreclosed.

Mary Gavin would like to see all penalties broken out in an excel spreadsheet. Ken Wright said that all that information is included in his documentation, and he doesn't anticipate providing it in a different form.

Kevin Gish asked that as action would be needed, this item will be again added to the agenda for either the July 18<sup>th</sup> or August 1<sup>st</sup> meeting.

Mary Gavin stated that in her 10 years on the board there has never been a tax sale, and she would like to have time to digest the information more fully and understand the implications including the cost to the town.

Upon recognition by Chair, Kevin Gish, Helen Barrett stated that it is likely the previous tax collector was not interested in holding a tax sale which is why there has not been one in the past 10 years. Mary Gavin said there was at least one conversation with the previous tax collector, but there were reasons for why it was not pursued.

Ken Wright said that he thinks this is the responsible thing for the Town, and the Town is not well-served by letting about \$250K in outstanding taxes remain uncollected. Ken believes it sends the wrong message to the residents who do pay their taxes on time and consistently from year to year. Ken feels he is doing the job he was elected to do by the voters of the town.

Deb Jones did point out that any delays will limit the amount of funding possible available through the VHAP program, as funding is first-come, first-serve, and time does not work in residents favor when seeking assistance.

Galen Mudgett said there is also a point of law to discuss. Galen did highlight that Ken is not answerable to the Selectboard and that Ken is working in concert with the Selectboard as a courtesy and to garner support. However, as an elected official, Ken is elected by the people to serve just like the Selectboard, just like the listers, just like the Town Clerk, and all elected officials operate independently and with equal power under the law. While Ken Wright recognizes the Selectboard controls the Town funds, he is also seeking consensus so that all town officials will be working together in concert.

Nicola Shipman will add this item to the agenda of July 18<sup>th</sup> 2022.

#### 12. **Drainage Proposal for Baxter Memorial Library and Sharon Elementary:**

The Supervisory Union provided an estimate from Donald L. Hamlin, an engineering firm, for a scope of work for the preliminary work required to complete the drainage work for the Sharon Elementary School and the Baxter Memorial Library. The proposal is that there would be a cost-sharing solution between the district/elementary school and the town to cover the \$11,210.00 fee. The Town previously paid \$1,440.00 toward the project in the initial study phase. Kevin Gish will work on a memorandum of understanding to ensure scope, payment, timeline, and cost sharing so all is clear between the parties.

#### 13. **Driveway Permit Applications**

**Blais Application:** Mary Gavin asked if the sightlines are clear. Frank confirmed. Frank said that the culvert needs to be an 18” culvert and not a 15” culvert as submitted in the permit.

**Kevin Gish made a motion to approve the Christopher J. Blais Driveway Permit Application as applied for with the further restriction of an 18” culvert at the end of the driveway at 779 Moore Road. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Donahue Application:** Frank reviewed this site and has no issues with the driveway permit application.

**Sarah Pfeiffer made a motion to approve Driveway permit for Robert and Jennifer Donahue to construct a highway access point onto Baxter Mountain Road at 490/498 Faybrook. Kevin Gish seconded. Motion approved unanimously.**

#### 14. **Coronavirus Planning/Updates**

All status quo.



15. **Old School House Sale:**

Mary is requesting an executive session on this topic. Nicola Shipman will add this to the schedule of August 1<sup>st</sup> agenda.

16. **Adjourn**

**Mary Gavin made a motion to adjourn at 8:42PM. Sarah Pfeiffer seconded. Motion approved unanimously.**

Submitted by Nicola Shipman