

**Town of Richmond  
Special Selectboard Meeting  
Minutes of March 13, 2023**

**Members Present:** Bard Hill, David Sander, Jay Furr, Jeff Forward, Lisa Miller

**Absent:** None

**Staff Present:** Josh Arneson, Town Manager; Duncan Wardwell, Assistant to the Town Manager; Linda Parent, Town Clerk; Tyler Machia, Zoning Administrator; Benjamin Herrick, Interim Police Chief

**Others Present:** Meeting was recorded by MMCTV, Andy Bessette, Angela Cote, Becky Vigneault, Cara LaBounty, Cathleen Gent, Christopher Cole, Denise Barnard, Diane Mariano, John Cohn, John Rankin, Jon Kart, Judy Rosovsky, June Heston, Lauck Parke, Marshall Paulsen, Matt Orrell, Matthew Parisi, Robert Lowe, Steven Brownlee, Susan Wells, Virginia Clarke

**Call to Order: 7:00pm**

**Welcome by:**

Sander: Good evening and welcome to the March 13 meeting of the Richmond Selectboard. Does anybody want to make a public comment?

**Public Comment:**

**Town Meeting follow up: Thanks to voters and candidates**

Hill: I just like to thank June, the previous member of the Selectboard. Welcome Lisa, our current new member.

Sander: I want to personally thank Adam, Angela, Lisa for stepping up and for MMCTV for hosting the candidates' forum. The campaign, although contested, was very civil. I had several very pleasant conversations with Angela. That's one of the things I appreciate about living in Richmond.

Furr: We like to also thank the Justices of the Peace and volunteers who worked at the polls. We were there till 9:30 pm because of various issues that came up. I'd like to say thank you for everybody who brought food and so forth to keep us fed on Tuesday.

**Additions or Deletions to Agenda:** None

**Items for Presentation or Discussion with those present**

**Reorganization: Selection of Chair and Vice Chair, Board Secretary, Official Newspapers**

*Hill moved to appoint Jay Furr as Selectboard Chair. Forward seconded.*

*Roll Call Vote: Forward, Hill, Miller, Sander in favor. Furr abstain. Motion approved.*

*Furr moved to appoint Bard Hill as Selectboard Vice Chair. Forward seconded. Roll Call Vote: Forward, Furr, Miller, Sander in favor. Hill abstains. Motion approved.*

*Sander moved to appoint Duncan Wardwell as Selectboard Secretary. Forward seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

*Hill moved to designate the Burlington Free Press, Times Ink!, Williston Observer, and Seven Days as the official newspapers of Richmond. Sander seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

### **Consideration of appointment of a Delinquent Tax Collector**

Furr: Laurie Brisbin has served in this roll since 2011. Prior to 2021 she was not re-appointed every year and she had served in the role since her appointment in 2011. We overlook this in 2022 but we need to make sure that it's done each year going forward. Laurie has provided a letter of interest and chart of delinquent taxes paid in FY22 which is in the packet. She's unable to meet on Monday evenings but if we would like to bring up that list of delinquent taxes for public questions and comment.

Arneson: This is a look at what has been collected during FY22 ([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3c\\_Delinquent\\_Tax\\_Collector\\_Reappointment\\_March\\_2023\\_\\_2\\_.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3c_Delinquent_Tax_Collector_Reappointment_March_2023__2_.pdf))

*Hill moved to appoint Laurie Brisbin as Delinquent Tax Collector for a term ending on Town Meeting Day 2024. Sander seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

Furr: Do we have any objection to moving item h to the next item on the agenda?

Rosovsky: That is fine with me.

### **Consideration of installing a ladder on the town owned parcel containing the Overrockers parking area to aid people in exiting the Winooski River**

Brownlee: My name is Steven Brownlee, owner of UMIAK Outfitters here in Richmond. We're looking to provide a safe way for folks getting up into Overrocker Park. It's safer for people to get up and down the bank and minimizes erosion that happens on the bank. These steps were given permission last year by the Town. Now we're looking to get the Selectboard's permission as well as official permit. There is an illustration of the actual steps. These are steps that are utilizing a construction process that is well used throughout Vermont and New England.

Furr: Our current Zoning officer believes this needs to go through Conditional Use review. Do we want this ladder to be installed? If yes, then we would need to set up a Conditional Use review. We would then need to set up a contract with UMIAK, as recommended by our insurance, that you will maintain the ladder and assume all liability.

Hill: As somebody who's been to this part of the riverbank it's really silt. It's part of the historical floodplain where the rivers want to move back and forth. The image is good but it doesn't capture the actual site. I wanted to see if Judy or the Conservation Commission have any comments about where this sits on the riverbank in that area.

Brownlee: Last summer, it was much safer situation. One thing I will also point out is where we have located it on a river it's the least turbulent area for any erosion that could happen from flooding on the river. It's a very protected area. It would come in and out every season: we put it in the beginning of the season, we took it out at the end of our season. We rent space here in Richmond from the middle of May until the middle of September. We basically run these in June and July and August. There tends to be more traffic going from Bolton dam down to Richmond. I have not seen many canoers or kayakers using this access points because there are better access points. Tubers like this section of the river because it has some flow until we get further downstream.

Rosovsky: I believe our friends at UMIAK are being quite responsible about this and I appreciate their efforts to curb erosion and make access or exits easier. This is also the kind of thing that if you needed financial assistance, the Conservation Reserve Fund is open to all that benefit the Town.

LaBounty: I appreciate that, but I really want us to be cautious of commercial entities with Conservation Funds. It might be a great time to have the discussion since you have UMIAK owner and manager here to see about the possibility of not launching their rafters from the Bombardier Field parking lot or dropping them off right on Cochran Rd. It is a huge issue with parking along Cochran Rd. and people getting out of the UMIAK van while others are passing along the side. I think it's a perfect opportunity to negotiate something.

Brownlee: We certainly are open to other launch sites. We've met with the Town of Bolton a couple of weeks ago. We're working with the State of Vermont Parks and Rec. We're fully aware that Bombardier Park is a bit of a hot spot from a parking stamp. We have also spoken to Green Mountain Power about the dam. The challenge that you have in that section of river is that not all the clients want to do the severity of the rapids that can happen. There's a safety issue there. It takes all day to float from the dam all the way down to Richmond.

Forward: Parking and traffic on Cochran Rd. is a very popular topic to us. What will be your process of deciding on any future launch site.

Brownlee: We have discussions with the appropriate folks. We've been working on it for months, if we don't have it resolved before floating season, we probably are not going to be coming back to Richmond. And so that's another reason for being in here.

Furr: Are we okay with the ladder?

LaBounty: I strongly recommend that the Selectboard hold off on making decisions because we already know that there's been a parking issue with Cochran Rd. If they don't have another solution for their launch area, and it's still Bombardier Field and no agreements been made with the Land Trust then you have really created a cluster. I'm just saying please "have your ducks in order."

Furr: The first question is do we want to approve installation of the ladder?

Arneson: If the board wants to have a ladder there, we need to go to Conditional Use review, which is going to take some number of weeks to complete. Tyler, our Zoning Administrative officer is here.

Machia: They wouldn't be able to make the April DRB, the deadline for that is going to be the 24<sup>th</sup>. The Conditional Use process is going to take a month to a month and a half. Any decision the DRB makes has a 45-day appeal period. I need about 19 days advance notice to get everything on the agenda, because I have to warn the meeting 15 days in advance, I have to prepare my staff notes. We could be looking at mid-June. The good news, once it's done they can seasonally take it in and take it out every year without having to come back and get a new permit.

Arneson: One suggestion might be to proceed with the Conditional Use application and have UMIAK come back if more than to answer that question. Just because it's approved doesn't mean you have to install the ladder. Because it's Town land, we would need a motion to go through the Conditional Use approval. If in the future you determined we don't want the ladder in there, you just say we're not putting it in. If approved to Conditional Use then you could have them come back to us to actually install the ladder.

Barnard: We have a lot of families in our Town that wouldn't be able to afford what you do for other people in the State of Vermont. Would you be willing to possibly do a pass where a family can take that pass out for a day to use your services?

Brownlee: We would certainly entertain something like that, it would probably be a scholarship. We think that we're really helping the community by providing the shuttle. There was already an existing parking issue.

Hill: This method of accessing the river is not restricted to customers. People have difficulty getting up and down from the river. It's there for use other than UMIAK customers.

LaBounty: I think the Town has to give permission on a yearly basis not get a permit. You have to have some recourse to be able to make sure they're doing business properly. Just because it's Town property, they're still going to make money off of it, so the fee should not be waived for the permit.

Forward: I see these as two different issues. I'd like to act on the ladder and schedule a time, maybe a month or two for you to come back after you had discussions with other Towns. I think that the conditions we are talking about can be worked out in the contract negotiation.

Arneson: Typically, if the Town is applying for a permit, the Town doesn't also pay the fee for it. If this was their land, once they had Conditional Use, they would have the ability to put the ladder in. The board has authority to put a ladder in and then not put the ladder in.

*Forward moved to approve to proceed with a Conditional Use permit for a ladder on Town owned land by UMIAK at Overackers Park. Miller seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

## **Consideration of approving a request to use \$1,000 from the Conservation Reserve Fund for a panel discussion**

Rosovsky: I am Chair of the Richmond Conservation Commission. The Andrews Community Forest is a beloved place in Town. There has been a desire to put bike trails in there. There's been some recent research that shows the impact of trails, not just bike trails, but any kind of recreational trails on wildlife. We were planning to have a speaker series. We're asking for money to compensate the speakers, some of whom, are real experts in this issue. This will be a public meeting. The money is to compensate the speakers for their time and then additional expenses. It's in advance of the Andrews Community Forest Committee's discussion about this subject. \$200 per person doesn't seem unreasonable for somebody who's one of the leading experts or the other people who have experience that a layperson might not have managing a site. We have trails all over the Town. This is kind of new information. I know they had a conversation like this in Randolph. I just think it's helpful to give people a chance to hear from folks who've managed multi-use areas and just get a sense of the range of issues and some of the solutions. There will also be a question-and-answer period, after the speakers.

Forward: How will you coordinate with the Andrews Community Forest?

Rosovsky: We sent them an invitation. We've been very transparent about what we're doing. We should be cognizant of the effects that these trails have. So many more people are recreating, we need to have a sense of what effect that has.

*Hill moved to approve the use of up to \$1,000.00 from the Conservation Reserve Fund to pay for experts to participate in a panel discussion regarding conservation and trail-based recreation including impact of trails and trail use on wildlife. Sander seconded. Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

## **Consideration of approving liquor and tobacco licenses**

Parent: The process for approving liquor and tobacco licenses has changed. ([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3e1\\_LIQUOR\\_2023\\_LETTER\\_TO\\_SB.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3e1_LIQUOR_2023_LETTER_TO_SB.pdf)). It's all electronic. Each restaurant or store is responsible for going online to the special site, filling out all the information, then that gets sent to me. They have to personally bring in a check for however much to the Town of Richmond. I have to take the minutes from this meeting, send them to Montpelier, and then they will send this license to the restaurant.

Furr: Vermont has various liquor licenses. A First Class License is a license to serve beer and wine on site. A Second Class License is licensed to sell beer and wine to be consumed off premises. A Third Class License is to serve spirits on site. We don't get involved with the State Liquor Store at the Market because the State does that one directly. We don't have a definition of what exactly a Tobacco License is but I assume it's just a license to sell tobacco.

Parent: Correct, then the endorsement they have to pay for is the vaping items.

*Sander moved to approve a Second Class Liquor License, a Tobacco License, and a Tobacco Substitute Endorsement for Cumberland Farms of Vermont Inc. Hill seconded. Roll Call Vote: Forward, Furr, Hill, Miller Sander in favor. Motion approved.*

*Sander moved to approve a Second Class Liquor License and a Tobacco License for AGS Vermont Inc. doing business as Richmond Market and Beverage. Hill seconded. Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

*Sander moved to approve a First Class Liquor License for Sweet Simones. Hill seconded. Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

### **Public Hearing to consider amendments to the Traffic Ordinance**

*Sander moved to open the public hearing to consider amendments to the Traffic Ordinance. Hill seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

*Hill moved to forgo reading the entire rule aloud and read only the title. Sander seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

Arneson: This is the title of Richmond Traffic Ordinance proposed to be amended as follows.

Section 6A (A), 3: Remove parking restriction within Town Highway right-of-way

Section 6A, (A), 19: Add no parking area on east end of Cochran Rd.:

\*Along either side of TH#03 (Cochran Road) from the intersection with TH#5 (Duxbury Road) to the Edmunds Bridge (Huntington River Bridge) except where parking has been explicitly designated in the area off the traveled portion of the road on the south side of Cochran Rd. immediately to the east of the Edmunds Bridge.

Section 6A, (A), 20: Add no parking area on Dugway Rd.

\*On entire west side (uphill side opposite Huntington River side) of TH #07 (Dugway Road) from mile marker 0.5 south of TH#03 (Cochran Road) to mile marker 2.2 south of TH #03 (Cochran Road)

Section 9, (D): Increase parking ticket fine from \$25.00 to \$50.00.

Rankin: On Cochran Rd., it does leave a small amount of parking along the Bombardier Meadow side closest to the Winooski River Bridge. It's not ideal parking because there's a steep embankment. But it was sort of a compromise between safety and allowing some parking to remain. Acknowledging that the Richmond Land Trust hasn't yet made a decision that parking would be allowed. The line of sight was a consideration. On Dugway Rd, the greatest concern is when two cars are parked slightly in the traveled way or entirely in the traveled way across from each other. By having this substantial section of Dugway Rd where there is no parking on the uphill side, it would be very clear that people don't park on that side.

Furr: That will reduce the likelihood of an emergency vehicle not being able to get through.

Miller: I think the State was \$100 and the Town was \$25 or something like that.

Forward: I think 100% increase is a good step in the right direction

Furr: It's at least getting a little way away from the convenience aspect.

Bessette: This is an ongoing dilemma for the Town. You want the recreation money brought into Town, but you need to provide adequate parking for these tourists.

Barnard: Item 19 clarification, we have the four little spots by Miss Miller's house and the Edmonds bridge. Are you talking about these two spots directly across the road? On the right.

Arneson: It's only those four, specifically designed in the area off the travel portion of the road on the south side of Cochran Rd immediately east of the Edmonds bridge. Nowhere else on that zone and we'll sign it appropriately.

Barnard: I was wondering if there's any way we could maybe do a yellow stripe, just to know that four cars could park here?

Miller: Did you talk about signage at all, for the parking.

Rankin: I think it was going to be coordinated with Pete Gosselin

Barnard: The Edmonds bridge placard was supposed to go back up. It was originally taken off during the construction. And to my knowledge, it's never gone back up.

Parent: I had it in the vault.

LaBounty: Pete Gosselin has it.

*Forward moved to close the public hearing to adopt the amendments to the Traffic Ordinance as presented. Hill seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

*Forward moved to adopt to the Traffic Ordinances as presented. Hill seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

**Consideration of setting a hearing date for amendments to Zoning Regulations for Village Residential/Commercial District and Gateway Residential/Commercial District and associated amendments**

Furr: Planning Commission Chair Virginia Clarke is here to provide a presentation of the amendments.

Clarke: All of the things that I'm going to say are covered in the packet and on the website. If anyone wants to have a summary, you could look at the memo to the Selectboard, a copy of the amendments, a marked up copy of the whole Zoning

Ordinance, and two maps:

\*Memo for Selectboard

([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g1\\_2.20.23\\_\\_Gateway\\_and\\_Village\\_RC\\_and\\_associated\\_amendments\\_approved\\_by\\_PC\\_2.1.23\\_-\\_memo\\_for\\_SB.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g1_2.20.23__Gateway_and_Village_RC_and_associated_amendments_approved_by_PC_2.1.23_-_memo_for_SB.pdf))

\*Gateway and Village RC and associated amendments approved by PC amended 2.1.23

([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g2\\_2.15.23\\_\\_Gateway\\_and\\_Village\\_RC\\_and\\_associated\\_amendments\\_approved\\_by\\_PC\\_amended\\_2.1.23.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g2_2.15.23__Gateway_and_Village_RC_and_associated_amendments_approved_by_PC_amended_2.1.23.pdf))

\*Zoning Regulations Approved by Planning Commission 2.1.23 as amended (2.2.23)

([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g3\\_2.15.23\\_\\_Richmond-Zoning-Regulations\\_mark-up\\_approved\\_by\\_PC\\_amended\\_2.1.23.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g3_2.15.23__Richmond-Zoning-Regulations_mark-up_approved_by_PC_amended_2.1.23.pdf))

\*Planning Commission Reporting Form For Municipal Bylaw Amendments

(Revisions to the current Gateway Commercial Zoning District)

([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g4\\_2.15.23\\_\\_BylawAmendmentReport\\_GatewayRC\\_-\\_approved\\_by\\_PC\\_2.1.23.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g4_2.15.23__BylawAmendmentReport_GatewayRC_-_approved_by_PC_2.1.23.pdf))

\*Planning Commission Reporting Form For Municipal Bylaw Amendments

(Revisions to the current Residential/Commercial Zoning District)

([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g5\\_2.15.23\\_\\_BylawAmendmentReport\\_VillageRC\\_-\\_approved\\_by\\_PC\\_2.1.23.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g5_2.15.23__BylawAmendmentReport_VillageRC_-_approved_by_PC_2.1.23.pdf))

\*Map of Proposed Village Residential/Commercial District

([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g6\\_a\\_VillageRCMap02-15-23.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g6_a_VillageRCMap02-15-23.pdf))

\*Map of Proposed Gateway Residential Commercial District

([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g7\\_b\\_GatewayRCMap02-15-23.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3g7_b_GatewayRCMap02-15-23.pdf))

We have reports required by the State when you're amending your ordinances.

Furr: Lisa and Virginia know an enormous amount of work went into discussing this stuff. There were whole meetings that were on the subject of how much square footage had to be reserved for perishable food. I'm very grateful for the work put in. I just want to stress tonight that this is not the hearing, this is to answer questions. Ultimately, we're going to receive the proposal, and then possibly set the dates for the hearing.

Clarke: This is a little introduction. I hope people will look at this information and talk about it to bring questions.

Hill: Can you remind us of the size parameters for Accessory Dwelling Units (ADU)s?

Clarke: This was the mother-in-law apartment. You can either have it within a residence, you can have it freestanding, not in a residence. This was something that the legislature



actually mandated a while back that you had to allow. In the definition of Accessory Dwelling Unit, they put a lot of words that we didn't feel that we could change. This is why we allowed for the two residences on a lot. It has to be a relative and the owner of the property has to either live in the ADU or in the principal structure. The square footage is like a third or something proportionate to the other building. It has to be small, and it has to be inhabited by the owner or a relative of the owner. The way it was written, seemed kind of restrictive in ways that you couldn't really even control or enforce. We felt rather than try to fuss with the definition of ADU, we would just allow two free standing residents.

Hill: One of the things that I've heard from some of the principal organizations of nonprofit, perpetually affordable housing is the scale and infrastructure. We heard you have to have water/sewer on site, which clearly pushes you in certain directions in Town. For senior disabled housing, you have to have plausible sidewalks. Another thing that they said is they're not into building three units here, two units over there. They were talking scales that are more like 24 to 30 units on a site, not necessarily in the same building, but at the same location.

Clarke: This time around, we didn't take up the density bonus question. We took it up extensively with Jolina Ct. and we weren't able to come to any kind of satisfactory resolution. We feel that we compromised between what the affordable housing people would like and what we heard and knew was the sentiment of the people who lived here which was to not excessively increase the density. We have allowed for a density of 8 units per acre, which is not going to allow you to make a 30 unit building on a one-acre lot. We are not suggesting that you allow 80 to 90% lot coverage, which means you can build on 80 to 90% of the lot, which is what the affordable housing people suggest is going to reduce the cost of affordable housing. Your buildings can cover 40% of your lot. We have gone to 60% and that was what we felt was a compromise. It's going to require some creative effort to have affordable housing in Richmond. We don't have the sidewalks so we need an official map that lays out the sidewalks. There aren't very many places directions that you can expand the water and sewer system from Richmond Village. We've liberalized the ordinance in the direction of removing some regulatory barriers. That doesn't necessarily mean we're going to have a lot of affordable housing.

Forward: The document that Virginia put together is extremely useful.

Miller: The header sections speak to the character of the district. It's important to read that first and look through the details.

Clarke: As we go through the districts, we intend to put that purpose and feature section to describes the character of the district into each one. It isn't at this point.

*Hill moved to receive the proposal to amend Richmond Zoning Regulations Sections 2.5.2, 3.1.1, 3.1.2, 3.2.1, 3.2.2, 3.3 .3.4, 3.5.1, 3.5.2, 3.6.1, 3.6.2, 3.7.1, 3.7.2, 3.8.1, 3.8.2, 3.9.1, 3.9.2, 3.10.1, 3.10.2, 4.5, 5.5, 6.1.2, 6.13, and 7. Including minor references related to the district name change which have been amended in the following additional sections: Table of Contents, 2.1, 5.7.3, 5.7.4, 5.12.2, and Index. Also including the revised Official Zoning Map and its legend. Forward seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

LaBounty: You talked a lot about the big boxes and the little boxes with grocery stores. I didn't hear restaurants has something changed with restaurants. Now restaurants will be allowed in the Gateway Commercial?

Clarke: Yes.

LaBounty: My only concern is that the Planning Commission's version of compromising might not be enough for the Selectboard, because they want to see affordable housing. If it's just a public hearing, the Selectboard is going to vote on and they can make changes at that public hearing.

Clarke: I guess my feeling is that the changes we have made are not substantial enough to warrant going to the voters. You could certainly bring that point of view forward at the public hearing.

Furr: If we wish to hold a public hearing, we have to hold it not less than 15, or more than 120 days after the proposal is submitted to the Selectboard. If we would like to set a hearing date, the earliest is can be set is April 17.

Hill: Given the amount of time the Planning Commission has spent on this, I think it behooves us to move it forward. The conversation here is setting the hearing date and then there is also a decision about are we going to put it to a vote.

Miller: I agree a lot. It is momentum.

Furr: If we do an April 17, that's the regular Selectboard meeting. Do we want this to be a meeting unto itself?

Sander: Yes.

Miller: We'll probably have to continue the hearing is my feeling. There'll be questions that come up that we'll have to get good answers.

Arneson: I would suggest it is set on a separate night. You could do April 10.

*Forward moved to have a hearing on all the proposed zoning changes on April 10<sup>th</sup>.*

*Sander seconded.*

*Roll call discussion follows:*

Arneson: We have to figure out a room. I don't know that we could do that tonight and know what rooms are available.

Furr: If you could research what rooms are available on that date and get back to us.

Forward: If we find a glitch that you can't solve this week, we can bring it up again next week.

Furr: We have a proposal to move items l and m in front of items i, j and k. I'm seeing thumbs up.

## **Discussion of petition to hold a vote to consider moving Town Meeting Day to the first Tuesday in March**

Furr: Those of you who were present at the polls last Tuesday, there was a petition available to voters for the Selectboard to consider moving Town Meeting back to a Tuesday. The petition is included in the packet.

Arneson: The petition came in worded as such:

Shall the Richmond Selectboard be requested to include the following question to the November 7, 2023 ballot:

Shall the Town of Richmond vote to change the day Town Meeting is held to the first Tuesday in March pursuant to 17 V.S.A Section 2640(b)?

(To be voted by Australian ballot)

My first consideration was the request to have it by Australian ballot. When we had voted to move, Town Meeting Day from Tuesday to Monday, it was actually done by Australian ballot. It was brought to our attention that it should have been done by voice vote. The attorneys advised the Selectboard to adopt a resolution to ratify that vote, essentially saying that there was no ill intent. It was done with the best intentions. People had time to talk about it, it went to Australian ballot, it passed. In order to change Town Meeting back to Tuesday, we would have to have a voice vote at either a regular Town Meeting or a special meeting if you call it for that purpose. Another option would be to call a special meeting to put this question on Australian ballot. VLCT advised that you got to ask the question. It should be by voice vote. The wrinkle is that the petition asks for it to be via Australian ballot.

Paulsen: I hope we're all in agreement that the intention of the petition is clear.

Barnard: We were trying to piggyback on another election that the Town has coming up and not add any additional expenses to our Town.

Parent: The count that the JPs made in the beginning of the meeting was 145 people give or take. It was quite difficult to get people to come Monday night and then come back and work again Tuesday.

Furr: Can we withdraw the petition? If the petition was withdrawn, the Selectboard could then through the will of the voters to at least consider the question. We could then call a Special Town Meeting instead of having to do a warned election. We could have a voice vote to say move everything back to Tuesday. I think that would be the simplest option.

Arneson: You can do that right now. What you can't do is call a voice vote to put it on Australian ballot.

Sander: If we set up a Special Meeting to discuss this and vote on this, is there a limit? Does it need to be a certain percentage of registered voters?

Forward: I'm a little uncomfortable about calling a Special Meeting for this one question. We could get 10 people to show up and we don't know which 10.

Furr: If we want to move it for next Town Meeting, we are going to have to call a meeting and have a voice vote.

LaBounty: Can I make a recommendation? You're warning a Public Hearing for Zoning changes. Why couldn't you have that vote?

Forward: If people showed up to the Zoning hearing via zoom, they would not be able to vote. They have to be here in person.

Hill: There's no way to avoid the combination of the warning and the voice vote.

Furr: My recommendation is we pick a day that's going to get more participation. I would propose for example the first Tuesday in May.

Sander: I would propose that it be a Saturday meeting.

Paulsen: I would suggest that we might get a stronger response if we move briskly on the issue.

Arneson: I would appreciate not making this decision tonight. If we're going to hold this at Camels Hump Middle School, we need to make sure that they're available. There are warning notices of 45 days for a Special Meeting.

Hill: We could table this and come back with a sort of plan and proposal at our next meeting. Technically, this is a discussion of a petition to hold a vote. Now we're talking something slightly different.

Arneson: We should come back next Monday with the date we want so that we've got two weeks to really get all that extra stuff done. Then come back to officially do the warning. We're going to need 45 days plus three weeks or so because we're going to probably get it into the paper.

### **Discussion of public engagement on Bridge St. sidewalk**

Furr: Do we wish to take input from the public on this issue?

Forward: My preference would be to have it as a warned item, when we are discussing this. One is when we have a grant application. The other is requests in front of the ARPA committee.

Kart: I'm a member of the Transportation Committee. We could go over all the minutes from previous meetings where there was discussion. It's all available as well as design draft and sketches.

Furr: My recommendation is we put this as first item on a future meeting so that people can come and know that it will be addressed.

Hill: I know I've heard two strong opinions on both sides. We think it's reasonable for people to be asking about the return on investment.

Miller: Is there a concern about unmarked graves?

Sander: Yes

Kart: We can show you the sketches and designs. We are talking about the standard green strip, five-foot sidewalk.

Furr: My advice, again, would be to put this toward the top of the agenda.

Hill: I would recommend we start with a presentation from the Transportation Committee that looks at some material in 10 minutes.

Furr: Let's say April 3 to have that be item number one on the agenda. I think it should be clear this is for information to be shared from the Transportation Committee, and then for us to leave input from the public.

### **Consideration of approving a records retention policy**

Furr: There is a draft record retention policy in the package ([https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3i\\_Records\\_Retention\\_Policy\\_Template\\_-\\_DRAFT\\_3-10-23.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/03/3i_Records_Retention_Policy_Template_-_DRAFT_3-10-23.pdf))

The board expressed a desire to adopt a policy that would mandate retention of financial documents for five years after an audit. This policy is based on the template from the Vermont Secretary of State.

*Hill moved to adopt the records retention policy as presented. Sander seconded.*

Arneson: This is for paper documents. For electronic we'd add this or adopt a second policy.

Hill: That is not what is in II. In my experience in State government records are records, the only thing that is not a record is speech.

Arneson: I would think that we want to keep electronic records longer. Scanned documents we can keep virtually forever because they don't take up much space.

Hill: I'd be willing to withdraw the motion so we can modify this and come back with separate records retention schedule for written versus electronic records.

Furr: The motion has been withdrawn.

LaBounty: I would just like to have you take up the idea of electronic files being a solution to the possibility of projects going for years. For instance, if it's beyond a five-year time period, but it's still part of a larger project, I think it would be important to keep.

Arneson: I think it's a good idea to try to keep records related to projects for longer. But how do we define a project?

Sander: That's hard. Let's say there's a sewer expansion project that ended five years ago, and I'm going to destroy the records. Well, no, because the sewer system is an ongoing project. We might want to refer to that.

Cote, A: If it's a project that's still under bond, and we're still making a payment on it, that might be considered a project worth retaining the records.

Furr: This will come back up at a future meeting.

### **Consideration of approving leases for tenants at the Town Center**

Furr: We are talking about the Richmond Historical Society, the Community Senior Center, and Mount Mansfield Community Television for office space here on the third floor for two-year terms. Does anybody have anything about them they'd like to bring up?

Forward: My only question is, why not make it fiscal year?

Arneson: I think there were some staggered starts. You're saying make the end dates to the end of June. We could make it two years plus a little bit. This can change dates to June 30.

Furr: Whoever makes the motion will need to state the change.

*Forward moved to approve leases with the Richmond Historical Society, the Community Senior Center, and Mount Mansfield Community Television for office space on the third floor of the Town Center for approximately two-year terms as amended to end on our fiscal year and to name Town Manager Josh Arneson as the duly authorized representative. Hill seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

### **Consideration of approving a grant application for Congressionally Directed Spending**

Forward: I've submitted one application last week because of the deadline. The next one is coming up this week on Thursday. I talked to Rebecca Ellis, who's the State Director for Senator Welch. She said essentially, the same application that we did with Sanders will be okay. I think it's probably unlikely that we'll get either, but it's worth a try.

*Hill moved to approve and retroactively approve submitting applications for Senator Sanders' and Senator Welch's Congressionally Directed Spending for improvements at the Town Center and to name Town Manager Josh Arneson as the Grant Manager. Sander seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

### **Update on hiring Planning and Zoning Director and Police Chief hiring process**

Arneson: We have hired Keith Osborne for the Director of Planning and Zoning position. Osborne worked in Richmond as the Zoning Administrative Officer from February 2021 to February 2022. He has spent the last year in Charlotte as their Zoning Administrative

Officer. Osborne is looking forward to returning to planning work. Osborne's first day of work will be on Monday, March 27. Virginia and Chris liked that he has a lot of experience putting the regulations into work and working with them and not just writing them.

For the Police Chief Hiring process, the committee's taking a bit more time to review. We've got three different documents that we work on to reviewing these applicants. We have a matrix that we work on that allows us to go through and look at applications. From that we make decisions on who we're going to call into an interview. There are interview questions that we will ask them. We ask everybody that comes in for an interview to have a strategic writing piece. The committee is taking a good deal of time to go through and really analyze the matrix interview questions. We're on our third meeting tomorrow. My anticipation is that we will complete that process tomorrow. These are to review applicants in the next week, and then reach out for interviews.

Furr: It mentioned that June Heston is on that committee. She was placed on the committee as a member of the Selectboard. Josh's recommendation is that we not increase the size of the committee. If we put another Selectboard member on that would mean June would have to come off. I think that would be a very foolish idea. I am seeing no argument.

Hill: I reminded the committee that this is supportive of Josh in the process.

### **Review of Selectboard calendar**

Arneson: This is sort of just the annual bare bones that comes up each week.

Hill: One of the things we might contemplate are what are the other priority tasks that we could plug into our calendar moving forward. If we wanted to review the personnel policy, or guidelines, it probably merits review on some intermittent basis. Records Retention Policy, we put it on here and check it off. There are times of the year that it gets more dense, like budget season. Or try to fill in gaps on the calendar.

Forward: We could schedule that discussion, rather than have to react to it. The Fire Department is something that's been on our to do list for quite some time.

Hill: We could do a mid-course review, we know we're going to run into a recreational and traffic issues. That's a future agenda item to discuss policy and priority issues for the Selectboard for the coming year.

### **Approval of Minutes, Warrants and Purchase Orders**

#### **Minutes**

*Sander moved to approve the Minutes of 2/21/23 as presented. Forward seconded.  
Roll Call Vote: Forward, Furr, Hill, Sander in favor. Miller abstains. Motion approved.*

*Sander moved to approve the Minutes of 3/4/23 as presented. Hill seconded.  
Roll Call Vote: Forward, Furr, Hill, Sander in favor. Miller abstains. Motion approved.*

## **Purchase Orders:**

*Hill moved to approve PO# 4583 to Richmond Water Resources Department for Fire Protection not to exceed \$51,148.00. Sander seconded.  
Roll Call Vote follows discussion.*

Hill: This sort of levels the playing field, just like everyone pays in for a Fire Truck, whether you use it or not. In this case, the customers who live in Town pay not only for their water and sewer, but they along with everybody else contributes towards the fire protection entity.

Sander: The State of Vermont told Richmond Water and Sewer Commission, you need to replace your tank. The Fire Department said we need a tank big enough for fire protection. The Water and Sewer Commission was faced with charging 400 people to pay for fire protection.

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

## **Warrants**

*Sander moved to approve the general warrants as presented from 3/13/2023. Hill seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

## **Discuss Items for Next Agenda**

\*Bombardier Field and Richmond Land Trust

## **Executive Session**

*Sander moved to find that premature public knowledge about a personnel issue would cause the Town or person to suffer a substantial disadvantage. Hill seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

*Sander moved that we enter into executive session to discuss a personnel issue under the provisions of 1 VSA 313 (a) (3) and to invite Town Manager Josh Arneson into the executive session. Miller seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

*Sander moved to exit executive session. Hill seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

## **Adjourn**

*Hill moved to adjourn. Sander seconded.*

*Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

**Meeting adjourned at: 11:23 pm**

**Chat file from Zoom:**



01:49:14 Judy.Rosovsky: Incredible effort from the Planning Commission. Complicated issues and difficult to balance the radically different goals of the stakeholders. Thanks to Virginia for your succinct summary of how the PC tried to meet many needs.