

**Town of Richmond
Special Selectboard Meeting
Minutes of July 5, 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; Anthony Cambridge, Hinesburg Police Chief

Others Present: Meeting was recorded by MMCTV, Alex Naumann, Amy Cambridge, Angela Cote, Ann Naumann, Benjamin Holmes, Bonny Steuer, Brad Elliot, Bradley Holt, Cara LaBounty, Carolyn Marshall, Chuck Gilroy, Connie Van Eeghen, Denise Barnard, Denise Noble, Dylan Paquette, Erin Wagg, Eveline Haberillian Killian, Gretchen Paulsen, Ian Stokes, Jan Sibal, Jana Brown, Janet Morris, Jared Paquette, Jason Pelletier, Jeanette Malone, Jeremy Hulshof, Jim Monahan, John Linn, Karen Yaggy, Kenneth Paquette, Martha Nye, Mary Houle, Matt Rand, Nancy Zimmy, Nick Neverisky, Patty Brushett, Paul Hauf, Pennie Rand, Steven Brownlee, Veronica Paquette

MMCTV Video: <https://archive.org/details/RichmondSelectboard07052023>

Call to Order: 7:00pm

Welcome by: Furr

Public Comment:

Furr: Thank you to all the people who came together to put on the town of Richmond, July 4 celebrations. It would be a very, very lengthy list. I think it was a great day, a lot of fun. Good fireworks. Great parade. My thanks to everybody who volunteered to make it happen.

Hill: I'd also like to thank the First Responders who responded to the Bolton potholes yesterday.

Houle: As a member of the Gardening Committee, the Paquette's donated a few flats of flowers for us to fill in the planters at the Volunteers Green and around the benches. Thank you to the Selectboard for the \$200 we use to purchase soil so that we could elevate what was in there. The parking at Volunteers Green went extremely well and I couldn't be happier with the paving. I have a question about the sign on the front lawn. Maybe we could change it to a Juneteenth Celebration sign, that might go over a little bit better. Juneteenth is recognized as a holiday as opposed to Black Lives Matter.

Barnard: I would like to ask for the update on the installation of the memorial plaque for the Edmonds Bridge in Jonesville.

Arneson: We've been in touch with Vermont Historical Society about the best way to display that. Pete and I've been emailing back and forth about showing them pictures of the bridge. We don't have a solution yet, but we are trying to work on that.

Additions or Deletions to Agenda:

Timestamp: 0:04

People who participated in discussion: Furr,
Item (i) is moved up to the beginning of the agenda

Consideration of approval of Access Permit

Timestamp: 0:04

Access Permit 700 Stage Rd..pdf

[https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3i_Access_Permit_700_Stage_Rd..pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3i_Access_Permits/2023-06-3i_Access_Permit_700_Stage_Rd..pdf)

People who participated in discussion: Furr

The Selectboard approved the road name of “Three Boys Rd.” for this road in December 2022. This application has been approved by Road Foreman Pete Gosselin.

Forward moved to approve Access Permit 2023-03 for access at 700 Stage Rd. Sander seconded.

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

Consideration of entering an entry of appearance in the Appeal of Hillview Heights LLC Preliminary Subdivision Approval, Possible Executive session

Timestamp: 0:06

Notice of Appeal.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3a1_Notice_of_Appeal.pdf

PRESUB2023-04 Bradley Holt and Jason Pelletier 2023-04-10.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3a2_PRESUB2023-04_Bradley_Holt_and_Jason_Pelletier_2023-04-10.pdf

PRESUB2023-04 Bradley Holt and Jason Pelletier 2023-05-05.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3a3_PRESUB2023-04_Bradley_Holt_and_Jason_Pelletier_2023-05-05.pdf

People who participated in discussion: Furr, Arneson, LaBounty, Houle, Forward

Attorney Dave Rugh will join the meeting for an executive session to discuss this appeal submitted to the Development Review Board which outlines the concerns in more detail.

Forward moved to find that premature general public knowledge of the Town’s position in the Hillview Heights preliminary subdivision approval litigation would place the Town at a substantial disadvantage because public disclosure of the discussion would jeopardize the Town’s litigation strategy and would lead to the disclosure of privileged and confidential attorney-client communications. Hill seconded.

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

Forward moved to enter executive session under 1 V.S.A. 313(a)(1)(E) and (F) to discuss attorney-client confidential communications and the pending appeal of the Hillview

*Heights preliminary subdivision approval, inviting the Town Manager and Town Attorney David Rugh to join the executive session. Sander 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.*

*Hill moved to authorize Stitzel, Page & Fletcher, PC to enter its appearance on the Town's behalf in the appeal of the Hillview Heights subdivision's preliminary subdivision approval. Sander seconded.
Roll Call Vote: Forward, Furr, Hill, Miller, Sander in favor. Motion approved.*

Discussion of policing and update on Police Chief hiring process

Timestamp: 0:17

PoliceCruiserInventory06-29-2023.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3b_PoliceCruiserInventory06-29-2023.pdf

People who participated in discussion: Furr, Miller, Hill, Arneson, Sander, Forward, Cambridge, Brushett, Barnard, Ann Naumann, Steuer, Van Eeghen, Wagg, Gilroy, Linn, Hauf, Alex Naumann, Rand, LaBounty

Hinesburg Police patrolled the Volunteers Green and participated in the Parade with the Richmond Police cars. The Hiring Committee had a candidate withdraw from the process. The Hiring Committee has reached out to two previous candidates, and they did not want to re-enter the process. The increased wages were not an incentive for previous candidates.

The hiring process could be re-opened in September. An interim police chief or director might also serve as a transition. The Hinesburg Public Safety Study should be complete by the end of the summer. There might be options to pursue a Municipal District with Hinesburg after that. The State Police and Hinesburg Police also have staffing and budget issues.

The topic of Community Policing and what it looks like can also be discussed. There are examples of regional police departments in other States but there are currently none in Vermont. Hinesburg Police Department is interested in an extended contract of about a year. The last 3-4 years have shown a need for fair and impartial policing and a commitment to diversity, equity, inclusion, community policing.

Officer Cambridge explained that the Hinesburg Police Department had been covering Richmond with six officers from 10am – 10pm on Mon-Fri and 7am – 7pm on Sat-Sun. The hours have recently increased to 7am – 11 pm all week long. Part of that is due to losing two Richmond officers in the last few months. The Hinesburg Police Department will need more people if they continue what they are doing.

Brushett endorsed a one-year contract with the Hinesburg Police Department and the possibility of a joint police department. Haberillian Killian believes a community forum could help provide input about defining a community police department and it would benefit the hiring process. Arneson explained how the Town of Richmond was

contracting Union work with Hinesburg and that any Richmond officers have the right of first refusal for regular or overtime work. The agreement with Hinesburg is \$50 per hour for coverage and it is \$70 per hour for patrol coverage when they have an officer in Town for traffic control and parking enforcement. Cambridge stated that by adding Richmond it is easier to budget for potential 24-7 coverage. Ann Naumann felt it was important to have some officers not hired just by Hinesburg and to have some order of control of what happens. Steuer felt that a year-contract would provide time to follow statute and work with the Community Justice Center and Howard Center. Van Eeghen reviewed previous work developing a mission statement to reflect community values, sharing police data with the public, evaluating transparent trainings, and conducting quarterly forums.

Furr reviewed the Police cruiser inventory and recognized the questions about owning 6 cars with only one part-time Richmond officer available some time in September. Forward estimated the life of the Tesla at 6 years and the maintenance would be less than the other vehicles. Sander is inclined to get rid of Cruiser #3 as a lot of miles and years. Cambridge does not see a need for having more than 7 vehicles between both departments. Cambridge would utilize some of the vehicles if combined and he would be willing to drive the Tesla. Wagg supported Hinesburg officers driving the Richmond vehicles. Linn supported Chief Cambridge driving the Tesla or making it go away as the longer we wait the less it is going to be worth. The Hinesburg officers and Chief Cambridge would utilize the Tesla. Hauf suggested getting rid of a new cruiser and avoid future costs and depreciation. Alex Naumann clarified that Emergency Medical Services cannot respond in an unsafe condition until the scene has been cleared by police. Richmond Rescue illustrates an example of regional coverage over 7 towns.

Rand listed the needs around the collaboration with Hinesburg because community builds strength and Chief Cambridge is that type of person. Rand emphasized the need to see a record of what is going on. LaBounty asked about the Tesla being put to use. Cambridge confirmed that cages are not put in every car. The Tesla might be used as a traffic enforcement car.

The next agenda would include an item about selling specific number of cruisers.

Consideration of making an appointment to the Andrews Community Forest Committee

Timestamp: 1:31

ACFC - Hauf Appointment Letter.pdf

[https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3c_ACFC -
_Hauf Appointment Letter.pdf](https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3c_ACFC_-_Hauf_Appointment_Letter.pdf)

People who participated in discussion: Furr, Hauf, Hill, Sander, Miller

Hauf is interested in joining the ACFC as the Trails Committee representative. He attended the meetings over the last three years. He is interested in balancing environmental concerns and recreational access. The ACFC has a Trails Committee Representative and a Trails Committee Recommendation.

Furr was concerned about some of Hauf's Front Porch Forum posts criticizing Selectboard members. Furr also received several emails asking that Hauf not be appointed. Furr feels Hauf's attitude is to just cut to the chase and open all the trails.

Furr thinks the Trails Committee should consider another appointment. Hill thanked Hauf for stepping forward but also heard similar concerns from residents. Hill participated in the ACFC process but felt he was not being heard. Hill is concerned about the vociferous mountain bike community and that some people have walked away from participating.

Hauf was not on the Committee at that time and was participating as a member of the public. Hill stated his concern about the Front Porch Forum post asking where the Selectboard had been the last 3 years. Hauf expressed his concern for people showing up at the last minute and not feeling like they had a chance to be heard.

Furr is concerned about the ACFC priority to link to the mountain bike trails, the Sunshine Trail. The priority should be a plan that includes all constituencies. Hauf stated he would be open to that if he were appointed. He is happy to step aside if someone else can better fit the diversity, equity, and inclusion qualifications. Hauf has a letter of recommendation from Will Lee who asked him to serve as the Trails Recommendation. Sander is considered about Hauf acknowledging any accountability in front of the Selectboard. Miller expressed concern about mountain bike trails interrupting the migration of many species through contiguous Vermont forests.

Furr expressed interest in changing the by-laws of the ACFC so it is all appointed. Hauf stated he donated many hours to a project in Bolton that makes the trail networks available to adaptive bikers. No motions were made for the appointment to the ACFC.

Consideration of accepting a donation of riverbank steps from Umiak

Timestamp: 1:46

Overocker Rivershore Steps Donation.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3d_Overocker_Rivershore_Steps_Donation.pdf

People who participated in discussion: Furr, Brownlee, Miller, Hill, Forward, Barnard, LaBounty, Cote

Umiak would like to donate the steps for the tubing season and provide maintenance until they were removed around September 15th. Brownlee stated they would monitor any high-water potential to remove or fix if need be. All maintenance and labor will be provided by Umiak. The steps would be Town property. Miller requested that Umiak provide signage that point tubers and other users to the correct path from the stairs.

Hill observed many users at Overlockers. He thinks this is a good as it reduces the erosion to the silt. Barnard expressed concern about the liability, the paths being made and the benefit to Richmond residents. Hill stated that VLCT/PACIF and Town attorney agreed that this was acceptable. Brownlee stated that \$15 rates would be available to Richmond residents.

LaBounty expressed concern about this being a loop-hole and what she was hearing at different meetings about the steps. Hill did not feel like the term “loop-hole” was proper for this discussion. Furr stated that the stairs would help direct traffic to the proper trails which would improve the situation. Cote expressed concern about the consistency of putting a structure in the flood plain especially as it might pertain to Volunteers Green.

Forward stated that the steps will be installed, maintained, and removed annually. A different decision can be made next year.

Forward moved to accept the donation of the riverbank steps from Umiak for installation at the riverbank near the Overackers parking area. Miller seconded.

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

Consideration of setting the FY24 municipal tax rate

Timestamp: 2:00

FY24 Tax Rate.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3e1_FY24_Tax_Rate.pdf

Tax Rate Backup.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3e2_Tax_Rate_Backup.pdf

FY24 Tax Rate To Support Exemptions.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3e3_FY24_Tax_Rate_To_Support_Exemptions.pdf

People who participated in discussion: Furr, Sander, Arneson, Barnard, Hill, LaBounty, Forward, Miller, Cote

Furr stated that the rate would not need to be the same rate because our Grand List Value went up. Sander stated that we are raising the same dollars but the formula to get there is different. Arneson reviewed the FY24 Tax Rate .pdfs.

Barnard asked the Selectboard to lower the general budget line item due to the savings from the Police. Forward stated that this is based on an approved budget and that this discussion should happen during the budget process. Hill stated that the Selectboard still does not understand the full cost of the Police and union contracts. Hill stated that any surplus from one fiscal year gets rolled over to the next fiscal year. LaBounty suggested using the excess money from FY23 and the lack of Police services to reduce the budget line. Furr stated that the budget is set by the voters so it would probably require a special Town Meeting. LaBounty stated that the Selectboard knows it is not going to spend it all, so you don't need to raise it all. Furr stated that would be deliberately under-funding the budget. Hill stated that he would want to consult with Town attorney and VLCT on the precedent. Miller suggested that there is no assurance that everything will cost more than expected.

Hill suggested looking at the legal options for changing the budget and tax rate at a future meeting. Barnard requested the total surplus for FY23 Police as of June 30th at the next meeting.

Hill moved to set the FY24 Municipal Tax Rate at \$0.4682. Sander seconded.

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

Consideration of request by Post Office to fly the POW flag

Timestamp: 2:16

People who participated in discussion: Furr, Miller, Forward, Arneson

The USPS has asked the Town to display the National League of Families POW-MIA flag either on the flagpole in front of Town Hall or on one of the flag holders outside of the Post Office entrance. The Town attorney confirmed that this would constitute government speech. Furr stated that the flag poles are not a public forum to allow everyone to do it. Miller suggested adopting a flag policy.

Arneson stated that he will find out if the Selectboard should make a motion to fly the flag on the six specific days requested by the USPS.

Consideration of approving a liquor license

Timestamp: 2:35

Liquor Stone Corral outside.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3g_liquor_stone_corral_outside.pdf

People who participated in discussion: Sander, Miller, Furr

Licenses are reviewed on a yearly basis, and they do not happen at the same time.

Sander moved to approve the outside consumption permit for Stone Corral Brewery, LLC. Miller seconded.

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

Consideration of recommending to the Treasurer to purchase of a 6 month certificate of deposit

Timestamp: 2:19

People who participated in discussion: Furr, Sander, LaBounty, Cote, Miller

Furr stated interest rates as of June 28, 2023: 3 months at 4.40%, 6 months at 4.60%, 9 months at 4.50%

Sander moved to recommend that the Town Treasurer move \$500,000 of Town funds into a six-month certificate of deposit in July 2023. Miller seconded.

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

Consideration of transferring funds for structural analysis of the Town Center roof to use for a structural analysis of the Post Office roof

Timestamp: 2:23

Richmond Town Center Post Office and Historical Roof Proposal.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3j_20230517_Richmond_Town_Center_Post_Office_and_Historical_Roof_Proposal.pdf

People who participated in discussion: Forward, Furr, LaBounty, Hill, Sander

Forward requested that the Town Center fund pay for a structural analysis of the Town Center roof to see if it could support solar panels. The Town Center Committee would like to use the \$6,000 to analyze the Post Office roof to see if it can support solar panels. Furr asked if solar panels on the Post Office roof would receive enough sun. Forward confirmed this would provide the production numbers for this roof. Forward stated the Committee wants to fit within the current footprint to minimize the cost for a bond vote.

Hill moved to authorize the use of \$6,000 from the Town Center Fund to pay for a structural analysis of the Post Office roof. This \$6,000 payment from the Town Center Fund will be in place of the \$7,500 which was allocated at the June 5, 2023 meeting for a structural analysis of the Town Center roof as that project is no longer necessary. Sander seconded.

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

Consideration of approving a loan agreement for a water service line inventory

Timestamp: 2:29

Loan Agreement Water Service Line Inventory.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/06/3k_Loan_Agreement_Water_Service_Line_Inventory.pdf

People who participated in discussion: Furr, Miller, Hill, Forward, Sander

Furr stated that the State is mandating that all water systems conduct an inventory of their water service lines. The Drinking Water State Revolving Fund (DWSRF) provides a loan which is 100% forgiven. Hill stated that this includes the private portion of the service line which helps explain the 100% forgiveness. Forward asked if the Town had any liability on anything we find. Furr stated that it depends but it makes sense to do it when the contractors are there and treat it like one project.

Miller moved to approve the loan agreement with the Vermont State Revolving Fund in the amount of \$43,300.00 for the water service line inventory, noting that this loan will be 100% subsidized and no payments will be made from the Town. Hill seconded.

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

Discussion of structure of meeting minutes

Timestamp: 2:32

Selectboard WS Minutes Proposal.pdf

https://www.richmondvt.gov/fileadmin/files/Selectboard/Meetings/2023/07/31_Selectboard_WS_Minutes_Proposal.pdf

People who participated in discussion: Furr, Forward, Wardwell, Miller, LaBounty

Furr reviewed the time it takes to create a transcript of minutes compared to the State of Vermont statute. Wardwell stated that the video is available and the Selectboard could focus on the paragraph summary, motions, and financial information. Forward appreciated the previous minutes as they are comprehensive, but they take a long time to create and a long time to read 9-15 pages. LaBounty stated that the minutes are the public record, and we need to confirm the legality of video evidence. LaBounty stated these are some of the most impartial minutes. Wardwell expressed concern for a sustainable system of a transcript version of the minutes.

Approval of Minutes, Warrants and Purchase Orders

Timestamp: 2:39

Warrants:

Sander moved to approve the general warrants as amended on 7/5/2023. Miller seconded.

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

Purchase Orders:

Forward moved to approve PO# 4642 to Hinesburg Police Department for Police Coverage in June, 2023 not to exceed \$14,025.00. Miller seconded.

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

Miller moved to approve PO# 4622 to Various Vendors for Gravel & Aggregate not to exceed \$130,000. Sander seconded.

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

Forward moved to approve PO# 4623 to Hinesburg Sand and Gravel for 3265 Tons of Washed Sand for Winter Dirt Road Maintenance not to exceed \$40,000. Miller seconded.

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

Sander moved to approve PO# 4624 to Innovated Surface Solutions for 13,513 Gallons of Winter & Summer Blend Chloride for Dirt Road Dust Control and Salt Pre-Wet System not to exceed \$15,000. Hill seconded.

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

Hill moved to approve PO# 4639 to Simpleroute for Upgrade to Microsoft 365 and IT Security Upgrades not to exceed \$11,741.57. Miller seconded.

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

Hill moved to approve PO# 4646 to Simpleroute for FY24 IT Services not to exceed \$22,440.00. Sander seconded.

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

Minutes:

Sander moved to approve the Minutes of 6/20/23. Miller seconded.

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

Executive Session: Personnel Issue

This executive session will be for the Selectboard to consider approving my pay increase for FY24. See separate memo for more details

Sander moved to find that premature general public knowledge about a personnel issue would clearly place the Town at a substantial disadvantage. Hill seconded.

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

Sander moved to enter into executive session to discuss a personnel issue under the provisions of 1 VSA 313(a)(3) of the Vermont State Statutes and to invite the Town Manager, Josh Arneson, into the executive session. Hill 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.

Discuss Items for Next Agenda: Not formally discussed at meeting.

Adjourn

Miller moved to adjourn. Hill seconded.

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

Meeting adjourned at: 10:30 pm

Chat file from Zoom:

00:25:04 MMCTV Erin Wagg: The Selectboard is in Executive Session make sure you are muted

01:00:47 Denise Noble (she/her): Yes!! Totally agree

01:04:17 Benjamin Holmes: I think the issue that isn't addressed because noone talks to officers from other communities is that officers/ chiefs don't want to come to Richmond. Officers see Richmond as a mini Burlington and the word out there is that Richmond chases off officers

01:15:18 Denise Noble (she/her): Thanks to all for every and effort addressing the next phase of public safety in Richmond/hinesburg. Love the idea of joint coverage between the two towns. Definitely want to see community Convo and absolutely address mental health professionals as an integral part of public safety and referrals to wcjc and more. Lots to discern and discuss. Sorry I can't share with audio at the moment.

01:48:33 Jana Brown: I appreciate this very thoughtful discussion of the future of policing in Richmond! Thank you to the Selectboard and all who participated.

02:23:22 Denise Noble (she/her): Thanks y'all for all you do. I so very much appreciate the open respectful way our community communicates.... Even when conversations get uncomfortable. That's how we all grow and strengthen our community connections. Sorry I Can't stay for the whole meeting.