

Bakersfield Regular Select Board Meeting  
Monday, March 8, 2021  
7:00pm

The meeting was called to order by Lance at 7:04pm.

Members present: Lance Lawyer, Josh Goss, Brenda Churchill, Terri Gates, Gary Denton

Members absent: none

Residents/Guests present: Roger Lindala, Tami Brennan

Warrants signed:

Road Commissioner's order #FEMA	\$13,000.00
Road Commissioner's order #9&10-2021	\$34,237.91
Road Commissioner's order #9A-21	\$484.04
Road Commissioner's order #32-2021	\$423.11
Selectmen's Order #7-21	\$1496.94
Selectmen's Order #6-21	\$2964.49

Lance congratulated and welcomed Brenda and Terri to the board. He assured them that they are all trying to do the right thing even though they don't always vote the same, and that's ok. We all work together.

Kathy popped in as she closed up the Town Clerk's office and told the board members that VCLT was their friend and a great resource for research, etc. She said that they offered classes for members of the Select Board and Brenda said that she was already signed up.

Terri made the motion to accept the Feb 22 minutes as written, the motion was seconded by Gary and passed with a vote of 5-0.

Lance explained that normally after a town meeting, the Select Board selects a chairman. He opened the floor for nominations for chairman of the board.

Terri nominated Josh Goss, Brenda seconded. Seeing no other nominations for the chair, the vote passed 5-0.

The first order of business for the new chairman was to open the floor for nominations for vice-chair. Gary nominated Lance Lawyer, Brenda seconded and seeing no other nominations, the vote passed 5-0.

Josh asked Lance to remain as the board representative/liason between The Brigham Residence Group and FEMA since he has been the one deeply involved in those things and knew the history. Josh said he would handle everything else. Lance agreed to continue with those groups.

Josh asked that Abbey Miller and Audrey Haselton, the new treasurer for the town, be invited to the next Select Board meeting and placed on the agenda.

Brenda asked the chairman if the board could possibly go live on zoom for the next meeting. She noted that the live on-line option used for discussion during the informational meetings was a great way to get input from town members.

The board discussed cost and set up with Roger Lindala to help the town get permanently set up with their own equipment to have all Select Board meetings accessible via zoom. They would need a web camera, a speaker system and a tv and modem. Lance said he fully supported the idea and felt it was obvious from the involvement during the informational meetings that it would help with town participation.

Brenda showed the board an invoice for her personal zoom account for a one year subscription, for \$150.00/year. There are no time limitations for meetings with the subscription and can include up to 100 individuals at a time. Josh and Lance agreed that this would be money well spent. Josh said it made complete sense to open a Town google account as well, which is free, to upload documents to be created and shared...ie. Warrants, meeting minutes, documents and these could easily be shared on the towns Facebook community page. The meeting tonight is not accessible via zoom but will be recorded and available on NWATV and the link will be posted on the Town Home page when it becomes available.

Lance made a motion to open a zoom account for access to remote viewing/participation and recording of meetings, and a google account for making documents, etc. available to the general populace.

The motion was seconded by Terri and passed with a vote of 5-0. They asked if Roger would suggest and provide links for the equipment needed.

Roger said that he had been invited tonight and he came to answer any questions that the board had. The board agreed to have Brenda be the contact person to work with Roger regarding equipment. Brenda offered to make her zoom account available to the town to get started. She said that she can change the invite to the Select Board. Josh said that they would use her account for the next couple meetings, which would give the town time to get everything in place. Roger said that he would lend a laptop for the next meeting to be able to have zoom in place by then. That would avoid a rush to purchase stuff, so we are able to discuss and get the right equipment.

NWCUD-North West Communications Union District-

Brenda requested of the board that she be accepted, joining Heather Jewett, as town representative for the NWCUD.

Info from the NWCUD is as follows: The NWCUD is a government organization made up of volunteer members from 12 Northwest municipalities. Their mission is to "leverage partnerships and procure funding to connect Northwestern Vermont via Open Access Fiber to ensure opportunity for all homes and businesses in our region." The NWCUD is in the process of completing a feasibility study and business plan. NWCUD is applying for a USDA Rural Business Development Grant (USDA RBDG) to fund planning work that will support the eventual development and implementation of a high-speed open access broadband network. The USDA definition of Small Business

is less than 50 employees and less than \$1 million projected gross income, owned by 51% us citizens, with no requirement of any type of formal structure. Brenda explained the NWCUD was formed of volunteers from communities because the government wasn't moving forward fast enough to provide reliable online access for communities, so pursuit of a solution is up to the communities themselves. And it may be a mixed solution, ie. Satellite, cable, etc. combination.

Brenda spoke also of a US Dept. of Agriculture Rural Development grant and asked if we could get farmers to write letters showing their support. She presented the board with a sample letter that farmers could use to form their own, which will be attached and posted along with the minutes of this meeting. This grant would allow us to proceed with engineering and allow us to connect with other networks. Also, she asked the Select Board to forward a letter to the NWCUD in order to have someone come to tell us what need to do and how we need to do it.

Lance noted that this would help support an update for outdated equipment, wires, etc. This would also allow us to develop pricing/costs and funding from grants that are coming down the pipeline. Lance said that the government has said many times that this work would be done, and it hasn't been. Brenda said that was exactly why this group work was needed. If we can get the need all documented, the money needs to come from somewhere and it's out there. This would help us be able to find it.

Josh said that Heather told the board that the government said the project would cost the town no money. It was pointed out that that was just for the two wifi boosters the state placed in town, one at the school and on the Town hall, to boost wifi accessibility further from the actual building. This would be to provide access to reliable broadband for high-speed internet, cellphones, etc, in homes and businesses, that need a good backbone of fiber optic network. Brenda said, eventually, there is always a time to pay for having a phone, just like when you have individual accounts, and you have to pay your phone bill. What's driving this project is exactly what we are experiencing now. We're not able to have our kids study or access classrooms remotely or have considerable online access, for any reason.

#### Cat Crusaders-

Terri said that she had spoken with Jamie Rushford, the founder of Cat Crusaders. Terri thought that the board had put the donation requested by Cat Crusaders on the ballot. There was general confusion about not remembering to put in on the ballot amongst the board and Terri asked if it was allowed for the board to issue a donation at this time. Josh said that it was an oversight, but he felt that even though the board has the authority, if the board voted to donate to Cat Crusaders at this time, it could look like the board had held something aside to approve later. Before COVID, we asked people to come to a meeting to present their case for their cause. Things got kind of messed up this year. Josh said his assumption as to why it was not included this year was that the board had decided not to add any new organizations because it was

going to be hard to discuss each without a physical town meeting. Josh advises Cat Crusaders to submit their request next year and hopefully by then, we will not be in the same situation, and we can be more generous.

#### Road Report-

Mark's Truck, Truck #1, needed new front springs. One was broken on the driver's side and the other, ready to break on the passenger side, so they replaced both, instead of making another trip very soon for the other side. Mac drove Mark back from Clark's. Clark's said that they warranted the whole thing but that International might not cover the part on the passenger side because it was not yet broken. In that case, the town would get a bill for the passenger side part, but for now the bill says that the part was covered. Mac also added that the 50 miles for mileage was when he followed Mark down to Clarks.

Mac said there was another FEMA meeting tomorrow morning at 10:00am. He and Abbey met with Paul last Thursday and they went over the FEMA work already done to prepare for our new TAN loan. Goat Path Bridge, the engineering and one more thing, are now on the fast track with FEMA, so we should see some money soon. Whitney Bridge and culvert has been separated out as a separate project. There is a strong chance that project will not be funded. The culvert was plugged but not destroyed and caused the flooding which is a recurring problem. The water comes down the bridge and the culvert is on an odd angle, so the water hits the side and tears out the dam made to divert the water into the culvert and then it washes out the road. The town needs to look at archives from 1982 to present to track a recurrence in cost, to see if it's considered a recurring problem. Josh asked if we could turn the culvert and extend the length. Lance said that was part of the mitigation plan, but that's up to FEMA. The engineer had decided on a 12x6 box culvert at a sharper angle with a substantial precast concrete wingwall. The stream is considered seasonal flow, but it flows most of the time. They've already done a hydro study.

Mac said he expected the roads to get a little sloppy the next few days due to the warmer temps coming. There was a house delivered on Joyal Rd last week. Mac said they made it ok with extra sand and a crane.

Terri asked for clarification on the numbers of the trucks:

Truck #1 is Mark's...a 2018....has two payments left.

Truck #2 is Dan's...2015...paid off.

Truck #3 is Mac's...new this year....payments just begun.

Josh said that at the last meeting Terri had received a concern about King's Hill Rd. There are two loggers going up and down the road, and Josh wanted to know if there was any damage to the roads yet. Mac said not yet.

The board discussed an invite to the board from Kathy Lavoie, from NWRPC, requesting that they attend at a meeting regarding the VAST trail that will cut across the Southwest corner of Bakersfield. The gov/legislature has approved 2.8 million dollars to complete the last 60 miles of the 93-mile trail. After discussion, the board felt there was no need for someone to attend this meeting since the trail was so far away from the village and businesses and would have little beneficial impact on Bakersfield.

VAST would be revamping the trail, cutting back brush, making sure the bridges were ok. Lance said at best, we might be able to get State funding to put in a parking area off the road on Whitney Rd, that would access this rail trail. ATV's are not allowed on the trail, just snow mobiles, bicycles and hiking. If it was closer to the village and business, the board would have more input but since it's out a bit, it won't have much impact on the village. Josh said he didn't feel Bakersfield needed to be represented at that meeting, we would still get all the reports.

The board said that John Doyle had said that he was interested in knowing what the Town's plan was for ditching Witchcat Road Rd. Mac said that he had spoken to John and told him it would be easier to tell in the spring.

Lance said that Kurt Westcom put in a bid of \$1000.00 to mow and keep the second cut off the Gravel Pit meadows. Kurt had declined the offer to mow it last year. Josh said that Brian Pecor has rescinded his interest in the mowing the property, saying it was not really worth much, especially this year.

Josh said that he had gotten a lot of complaints about how the town land looked and that we need to get the crops taken off it somehow. Neil Doane had said that he would do it last year but didn't.

Terri made the motion to offer it to Kurt Westcom for \$1000.00, the motion was seconded by Gary and passed by a vote of 5-0. Lance said that he would notify Kurt. Lance said that if Kurt decided not to do it, the property needs to be brush hogged.

ACT 46-

Terri and Gary both said they thought that the town should consider pulling out of Act 46. Terri said that two Vermont towns voted to withdraw from the union this last town meeting. The School Union budget increased over a million dollars this year and the town has no say in where it goes. Gary said he felt it was just an open checkbook to the schools. Terri is to research the procedure for a possible withdrawal and the board will consider whether to put it before the voters next year.

Mac requested that the board order a stop payment on a check that Champlain Door said they never received and that has not cleared the bank. The town is to reissue a new check. A Stop Payment order costs \$35.00.

Terri made the motion to issue a Stop Payment, Gary seconded, and the motion passed with a vote of 5-0.

Mail- A form was received from the Dept of Health, to be filled out by the Town Health Officer and sent back for recommendation. Josh would check with Ginger Parent to see if she's interested in being appointed again. We have no deputy. The Town is also looking for a deputy Health officer.

The board received a letter from Melanie Riddle in support of increasing remote access to the Select Board Meetings and said that Brenda has a great option that would help residents be involved. It would allow for social distancing and also allow those with small children to attend without leaving home. Melanie said remote access would allow her to attend more meetings and answer people's zoning questions easier since she had a small child that made leaving home difficult.

Melanie also sent a notification that she would like to update the fee schedule for zoning. She noted that the fees have not been updated since 2014. She would also like to add two categories: pools and abutter notification fees. She submitted a chart listing our current fees and also that of Fairfield, Fletcher and Enosburg, to the Select board. She asked the Select Board to notify her of any fee changes that they approve, and she would update the fee schedule. The board said that they would like time to look over the fees and comparisons and would like Melanie to attend the next Select Board meeting to discuss them, so to add Melanie to the next agenda.

The board asked that Rodney Allen be placed on the agenda for the next Regular Select Board meeting.

Kathy submitted to the board a copy of the letter that she sends property owners that are delinquent in taxes, prior to a tax sale, for the board to read. The process for a tax sale in 2021 has begun.

A letter that was published in VCLT news regarding the pros/cons of a budget for a fiscal year vs. a calendar year was circulated by the board.

APPOINTMENTS FOR 2021 for officer positions not having received enough votes to fill the position. Each position needed a minimum of 15 votes to qualify as elected.

-First Constable- Larry Westcom received 5 votes...

-Hospital Committee- Lisa Maynard received enough votes but is already on the committee. Jan Ketchum received 9 votes.

Lance made a motion to appoint Jan Ketchum/Marcotte to Hospital Committee, seconded by Brenda Churchill and passed with a vote of 5-0. Lance will contact Jan and see how she wants her name represented.

-Auditor- Jason Bapp received 6 votes but he is no longer a resident. Since this position was not filled by election, the board can appoint a non-resident to fill the position.

Gary made the motion to appoint Jason Bapp as auditor, Lance seconded, and the motion passed 5-0.

-Cemetery Commission Trustee- This position was inadvertently left off the ballot.

David Spencer was unaware that he had to submit a consent form to be included on the ballot. Heather Tanner is also interested in the position. The appointment is for a one-year term as opposed to the 5-year term for election. Josh excused himself from the discussion since he was related to one of the candidates. The board discussed and decided to pass both names to the Cemetery Commission and let them choose the candidate to fill the position for this year. Brenda made the motion to this effect, Gary seconded, and the motion passed 5-0.

Tami to call Ron Marcotte and inform him of the board's decision and to ask him to email the name of the person that they appoint to the position back to a Select Board member.

-Zoning Board of Adjustment- Josh said that the board needs to be thinking about who to appoint to the ZBA. Both terms have expired, and the current officers, Jeremy Wilkens and Desiree Murphy are both no longer town residents. If there is a dispute with the zoning administrator, the case goes to the ZBA for review. If these positions remain unfilled, the Select Board acts in the position of ZBA.

Any vacant position is filled by the Select board.

-Town Agent- Dillion Westcom gave it up last year because he expected to not be a resident. He said he was only called upon twice in two years.

-Grand Juror-

-Assistant Town Clerk- Asked Tami, currently in the position, if she was willing and she said she would be for a while. This position is chosen by the Town Clerk.

-Assistant Treasurer- Asked Tami, currently in the position, if she was willing and she said no. This position is chosen by the Town Treasurer. The board noted that someone has to be on the checkbook to sign a check if the Treasurer was unable to do so. Lance is to ask Kathy if she is willing to have her name on the checkbook.

-Civil Defense Officer-

-Bakersfield Conservation Commission- chair- Mary Lumbra- The board didn't think that Mary wanted to continue. They take care of the park in the middle of town and the trail around the cemetery. They sponsor events that occur on the little Bachman property- 4 or 5 musical events in 2019. Check to see if Pat Evans is interested.

-Civil Defense Officer- Josh made a motion to appoint Sam Cribb since he was very familiar with the Fire Dept. and what needs to be done, Terri seconded, and the motion passed by a vote of 5-0

-Energy Coordinator- Jerry Brown currently holds this office. Terri to check to see if he is willing to continue in the position.

-Fence Viewer- Mark Allen currently holds the position and has said that it is an extremely outdated position. But the office is required to be filled by the State of Vermont.

Josh made the motion to appoint Mark as Fence Viewer, Terri seconded, and the motion passed by a vote of 5-0.

Josh wanted it noted that the reason they were making the motion to appoint those already in the position to the office is because they were the one currently holding the position.

-Health Officer- Josh will reach out to Ginger Parent to see if she is still willing to maintain the position. He said that she did an excellent job.

-NWSWD- Gary made the motion to appoint Mark Doremus, Brenda seconded, and the motion passed by a vote of 5-0.

-RDAG- Rural Development and Growth- Terri made the motion to appoint Larry Krygier as Chairman of RDAG, seconded by Lance, passed with a vote of 5-0.

-Regional Planning Commissioner- represents the town at RPC meetings. David Pratt no longer a resident. Terri made the motion to appoint Bill Irwin, seconded by Gary and passed with a vote of 5-0.

-Road Commissioner- Mac Newitt currently holds the position and is interested in continuing. Hobart Gates also interested.

Gary made the motion to appoint Mac Newitt, Lance seconded, and the motion passed by a vote of 5-0.

-Town Service Officer- Lance made the motion to appoint Dillian Westcom for Town Service Officer AND Town Agent, Gary seconded, the motion passed by a vote of 5-0.



-Transportation Advisor- Gary Denton volunteered- Terri made the motion to appoint Gary Denton, Lance seconded, and the motion passed by a vote of 5-0.

-Tree Warden- inspects trees to ensure safety- Lance made the motion to appoint Larry Krygier, Terri seconded, and the motion passed by a vote of 5-0.

-Zoning Board Administrator- Melanie Riddle

-Emergency Management Coordinator- In case of emergency, they make sure that the school is open, the generator going, and make sure the people have a safe place to go.

Terri made the motion to appoint Sam Cribb, Gary seconded, and the motion passed by a vote of 5-0.

-Deputy Emergency Management Coordinator- Lance made the motion to appoint Tod Cosgrove, Gary seconded, and the motion passed by a vote of 5-0.

The board decided to wait at this point to see if they receive any complaints or resignations.

Terri said she had been getting phone calls about the town previously voting to have an outside audit done every so many years, after the experience of the town embezzlement. Kathy thought it was to be every 5 years but said that there have only been 2 done in the 15 years since she has been there, because the last one was going to cost \$20,000.00 and Jason Bapp was a town auditor performing the internal audit, and he worked for the firm that would perform the outside audit. Brenda said that it was an obligation if the town had voted on it. Tami is to research the vote, date and terms agreed to by vote as to the frequency of the outside audit...probably in 1983 to 86. This was not budgeted for this year so the town will have to place this on the agenda for the next Town Meeting.

Act 46 to be researched by Terri and placed on the Town Meeting Agenda for next year.

Future Agenda for next Select Board meeting- Zoom Meeting

-Melanie Riddle

-Rodney Allen

-Tyrone Shaw

-check on Appointments

-Abbey Miller and Audrey Haselton

Discussed using the town truck vs Mac's truck...Mack said that if he has to cut down a tree, if he prefers his pickup to carry the equipment. DOT doesn't allow you to carry equipment in the cab. There is no place for the equipment in the town truck.

Mac said that the 55.6 cents/mile mileage stipend includes Maintenance/wear and tear. The 40 cents/mile does not include maintenance/wear and tear.

Terri said she thought the town should buy a small truck. You can buy a 350 with a municipal discount for the amount of one truck payment. Mac said that for just the insurance you would be paying more than what you would pay for mileage.

Josh said when he made the motion to use the town truck, at 2miles/gal, he meant just for Road checks, not anywhere else, or obviously in the winter for ice. If you are checking for blow downs, the pick-up would be better.

Terri asked if there was any paving planned for this year. Mac said not yet.

The board discussed steps for installing guardrails. It was mentioned that they could possibly buy some used guardrails that would work fine.

Gary made the motion to adjourn, Lance seconded the motion and the motion passed by a vote of 5-0.

The meeting ended at 9:26pm.

Meeting minutes recorded by Tami Brennan.