

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting
Monday March 14, 2022**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Lisa Hagerty, Paco Aumand
In Person attendees: Bobby Murphy, Shap Smith, Leigh Pelletier, Jim Brochausen, Paul Harries, Heidi Scheuermann,
There were 24 participants on Zoom.

Call to Order

Chair Adams called the meeting to order at 5:30pm. He welcomed Paco Aumand, returning to the Selectboard to fill the vacant seat left by Willie Noyes.

Approve the Agenda

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Nick Donza, the Board approved the agenda as presented.

Election of Officers

Town Manager Charles Safford took over the meeting and asked for nominations for Selectboard Chair.

On a motion by Ms. Courtney, seconded by Ms. Lisa Hagerty, the Board nominated and appointed Mr. William “Billy” Adams as chair of the Selectboard.

Chair Adams resumed control of the meeting and nominated Ms. Lisa Hagerty for Vice Chair.

On a motion by Chair Adams, seconded by Ms. Courtney, the Board appointed Ms. Lisa Hagerty as vice chair of the Selectboard.

On a motion by Chair Adams, seconded by Ms. Hagerty, the Board appointed Ms. Abigail Sweetser as Selectboard Clerk.

Consent Agenda

1. 2/22/22 Selectboard Minutes
2. Org Structure Approval
3. Stowe Vermont Hazard Mitigation Plan
4. Designation of Local Newspaper
5. Liquor Consent Items

On a motion by Ms. Hagerty, seconded by Mr. Donza, the Board approved the Consent Agenda as presented.

Work Session – Zoning Amendments Review

Ms. Sarah McShane, Director of Planning & Zoning, continued discussions from the 2/7/22 Selectboard meeting regarding the proposed Zoning Amendments. Mila Lonetto, Planning Commission chair, and Sam Schofield, Historic Preservation Commission Chair, were also present to discuss the proposed changes.

Ms. McShane went through revisions in specific zoning districts, specifically the Flood Hazard District, which was updated to conform with the Town Plan, FEMA requirements and State Bylaw language, Ridgeline Hillside Overlay District, which had some minor procedural changes, Historic Overlay District, which received a comprehensive rewrite to strengthen design review standards, and Fluvial Erosion Hazard Overlay District, which was updated to conform with current state model bylaws. The

Selectboard discussed the Historic District changes, which included that all historic buildings that are to be demolished must get Historic Preservation Commission review prior to going to the DRB, and must include a redevelopment proposal to be done within 6 months of the demolition.

Ms. McShane also covered changes with the Planned Unit Developments (PUD) which increased the minimum area for a general PUD from 3 acres to 10 acres, prohibits PUD in certain rural residential areas without access to the municipal wastewater system and clarified resort PUD & Village PUD language. It was also noted that a recent grant that the Town received to look at affordable housing will look for potential future changes in density and PUDs.

Willie Noyes Recognition

Chair Adams presented former Selectboard member Willie Noyes with a plaque thanking him for his eight years of service as a Stowe Selectboard member from 2014 – 2022, including two years as chair. Mr. Noyes thanked the Board, the voters who voted for him and said he really enjoyed working for and with the public in his role.

School Withdrawal Update

Mr. James Brochhausen requested time to discuss with the Stowe Selectboard updates to the ongoing discussion with the State Board of Education regarding the Town's vote to withdraw from the Lamoille South Unified Union. Mr. Brochhausen, joined by Ms. Leigh Pelletier and Representative Heidi Scheuermann, spoke to the current status – the vote to withdraw, the other member towns voted to allow the withdrawal, however after a non-formal opinion from the Attorney General stating that they did not believe that Stowe had the right to withdraw due to being a forced unified union, the State Board of Education has declined to take up the issue.

It was noted that there is currently legislation in the State to clarify the State Board of Education's authority, and criteria to withdraw from all unions, but Ms. Scheuermann expressed reservations that it would make it through the legislative process, and the added requirements that have been included. Mr. Brochhausen argued that if Stowe had voluntarily merged, they would have been allowed to later withdraw, but the information that a forced merger would not allow withdrawal was withheld from them. He also stated that the Articles of Agreement that were adopted by the Lamoille South Unified Union included language from the State to allow a withdrawal after year 2 of the merger, and that this has been dismissed by the State Board of Education and the Attorney General. He noted that other towns such as Athens and Westminster have had their Selectboard get involved in the fight, including up to hiring legal counsel to bring a case against the State Board of Education and asked the Stowe Selectboard to engage legal counsel to protect the rights of the voters of Stowe.

The Selectboard discussed if they were the appropriate body to engage legal counsel, or if it should be the School Board or other groups. Mr. Brochhausen argued that this is a governance issue, not a school policy issue and therefore not a School Board issue. Town Manager Safford indicated the Town Attorney has previously advised the role of the Town in this case was ministerial to receive the petition for a vote and hold the election. There were also concerns discussed about the cost of a potential lawsuit against the State, which the Town has not budgeted for and if it was appropriate for them to do so.

The Selectboard agreed to consult with legal counsel to consider if they are the appropriate party to bring a suit, and if they feel it is appropriate to pursue. Concurrently, the Selectboard and Town of Stowe will make an effort to weigh in on the current legislation through a letter of support to State Senator Richard Westman

Municipal Building Mask Mandate

At the September 13, 2021 Selectboard Meeting, the Selectboard voted to require masks in the presence of others within all Town of Stowe buildings and vehicles except when actively on the ice in the Stowe Arena. With declining severe COVID outcomes, the Governor has recently changed its masking recommendations and isolation guidance effective March 14 to no longer recommend masking in indoor

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public settings. This is in line with current CDC guidelines. Chair Adams noted that since the beginning of the COVID-19 pandemic, the Selectboard has followed the advice and guidance of the CDC and State of Vermont Department of Health, and that it should continue to do so by following these recent guideline changes. It was noted that masking is still optional and some may choose to wear masks for many reasons and should be respected. The private sector may still choose to require masks in their businesses if they choose.

On a motion by Ms. Courtney, seconded by Ms. Hagerty, the Board lifted the mask mandate in municipally owned buildings effective Tuesday, March 15th, 2022, while reserving the right to revise if the Vermont Department of Health guidance should change.

Manager's Report

Mr. Safford provided a press release from Lamoille FiberNet stating that they will be working with Northwest FiberworX to build, maintain and own a fiber network with the intent of bringing fiber internet service to every home and business in the two districts. Stephen Friedman, Stowe Representative to Lamoille FiberNet, will be at the 3/28/22 meeting to provide an update.

On a motion by Ms. Hagerty, seconded by Ms. Courtney, the Board went into Executive Session at 9:10pm to discuss Personnel.

The Board came out of Executive Session at 9:28pm.

There being no further business, Chair Adams adjourned the meeting at 9:29pm.

Minutes respectfully submitted by Abigail Sweetser.