

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting
Wednesday July 26, 2023**

Present:

Selectboard Members: William Adams, Lisa Hagerty, Nick Donza, Jo Sabel Courtney, Paco Aumand

In Person attendees: Harry Shepard, Scott Reeves, Paul Sakash, Leighton Detora, Alison Karosas

There were 9 participants on Zoom.

Call to Order

Chair Lisa Hagerty called the meeting to order at 5:30pm.

Approve the Agenda

On a motion by Mr. Billy Adams, seconded by Ms. Jo Sabel Courtney, the Board approved the Agenda as presented.

Consent Agenda

1. Minutes of 7/12/23
2. FY'24 Audit Contract Award
3. FY'24 Police Cruiser Award
4. Stowe Cider & American Flatbread Special Event
5. Water Consecutive System & Sewer Easement Acceptance – SAG 350LLC
6. Special Event Application – Race to the Top of Vermont
7. Liquor Consent Items

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

Short-Term Rentals – Department of Fire Safety & Stowe Fire Department

Town Manager Mr. Charles Safford explained that the Selectboard has been looking at Short Term Rentals from many aspects over a series of meetings, considering what if anything they may want to do for a registry or regulation. Last meeting the Selectboard heard from a third party online STR registry provider to get an idea of how it could work. This meeting is dedicated to discussing the concerns related to safety issues with the Fire Chief and State Fire Marshall. Unfortunately, Fire Marshall Shawn Goodell was not available to attend the meeting. Mr. Safford did share with the Board the current State of Vermont requirements for STRs, which includes posting - the person responsible for the property. He noted that the State Department of Fire Safety has jurisdiction over all rentals and commercial buildings, including the right to perform inspections. However, -it is his understanding that while they are responsive to complaint calls, they do not have the ability to proactively inspect properties due to limited staffing. It was noted that many guests from out of state may not be aware of how to file a complaint, particularly if the required information is not posted. Mr. Adams indicated that he would like to hear from Mr. Goodell what the definition and requirements of public buildings are, and how the process for inspections and complaints works. -Interim Fire Chief Scott Reeves noted that the fire department is currently working with larger commercial buildings to create “fire pre-plans” that help firefighters obtain all the information they may need in the event of a fire, but it would be challenging to complete for all STRs and to assure it stays up to date.

Chief Reeves gave some data and examples on the number of calls related to STRs that the Stowe Fire Department is seeing. He noted that in the month of July so far, they have received 3 calls related to STRs, of which one they were not able to contact a responsible person and one responsible person, when contacted, declined to respond. One of the incidents in July involved hazardous exposure, requiring the volunteers to be on site for over 4 hours, while the property owner did not want to respond or come to the

site. He said on average, the biggest challenge seen related to STRs is when the Fire Department arrives, the guests do not know the building, don't know alarm codes or utilities and sometimes don't have access to panels or other areas such as boilers, which can all slow down the Fire Departments ability to assess the situation and handle the call. It can also lead to families with no where to go in cases where the property is not suitable for them to stay at as a result of the call (utilities shut off, etc). If the Fire Department is not able to contact a responsible person to take over control of the building, this can lead to liability concerns, such as if water were to freeze in the winter due to a boiler being shut off. He noted larger organizations that have timeshares, such as Trapps and Spruce Peak, have maintenance crews on site to handle situations and take control of the building when the Fire Department leaves. There are also a number of rental companies in town that have information for responsible parties who will respond in the event of emergencies. However, there is also a growing number of STRs where no information is provided on responsible parties or they do not respond to the Fire Department. It was noted that they do not see many issues related to Long Term Rental units, as they tenants usually know the buildings and have a relationship with their landlord. Chief Reeves spoke to the morale of the Fire Department Volunteers when responding to STRs, stating that while they are happy to respond and assist anyone in Stowe, they can get frustrated with the longer response times required for STRs when waiting for a responsible party to respond or assisting the renters in ways that a responsible renter should be. It was discussed if the Selectboard should be segregating out a section of "public buildings" with a specific STR ordinance. Mr. Safford noted that while it is clear that the State has given municipalities the ability to regulate STRs, it is unclear if they have the same authority to regulate all public buildings, and this would need to be looked into further. While some Towns do take on the role of Fire Marshall inspections, it is his understanding that the State is not permitting additional municipalities to take on this role. It was also discussed that the Town currently has a Fire Alarm Ordinance which could be expanded to include STRs, however it was noted that this ordinance only covers those buildings that are tied directly to dispatch. -

Ms. Heather Snyder spoke to the fact that STRs that are booked through rental agencies include a binder with important information in a prominent location, however owners of STRs who do not utilize an agency may not be aware of the requirements of the State to post that information. She stated that an ordinance would be a way to educate those owners on the requirements and bring them into compliance. It is estimated that about 60-70% of STRs in Stowe are managed by a rental company. The Board discussed the need for communication with STR owners on how to get into compliance, as well as other important information such as knowing if your homeowners insurance would cover a STR. Mr. Paco Aumand cautioned against going beyond the Town's responsibilities for life safety issues. It was noted that while there may be other reasons to look at STR regulations, the focus of the discussion tonight would be on the issues relating to life safety. It was discussed that the Selectboard would like to still hear from Mr. Goodell when he is available, with Ms. Hagerty stating she would like to hear from towns that have enacted STR registries, and Mr. Adams requesting to hear from Stowe Area Association, STR owners & operators, realtors, and property managers at a future meeting. It was also noted that it might be helpful to hear from the Police Department to see if they are also having issues related to STRs. Mr. Safford stated that he would look to schedule the requested guests at future meetings for more discussion.

No action was taken at this time.

Australian Ballot or Floor Vote – Town Meeting

Mr. Bob Davidson has requested that the Selectboard consider asking the electorate to consider all future articles by Australian Ballot rather than floor vote during Annual Meeting. The electorate has previously approved considering electing its local representatives by Australian Ballot, but not the Town budget or other articles. Vermont Statutes allow for the Australian Ballot system to be used only as approved by the voters. This would normally mean it would occur as a floor vote. However, it was noted that due to the

pandemic, municipalities are currently permitted to vote on all matters by Australian Ballot for Annual Meeting through June 30, 2024. This would require that all items be considered by Australian Ballot only and there would be no floor voting at Annual Meeting.

Speaking to the Selectboard, Mr. Davidson stated that the numbers tell the story, with only roughly 150 people attending Annual Meeting, which accounts for about 3% of Stowe's voters, being those that decide on the budget for the year. He stated this is not fair to the people who cannot or don't want to attend Annual Meeting anymore. Mr. Donza stated that he felt the discussions at Annual Meeting are about quality over quantity and that having floor voting allows for more conversation, informed decisions, feedback to the Board and allowing for items to be changed at the meeting based on those discussions. He noted that in 2023, the Town was able to adjust their budget on the floor vote based on the voters approval of a Local Option Tax that reduced the burden on the taxpayers, and that those sorts of adjustments could not be made in an Australian Ballot. Ms. Hagerty stated that she would like to see Annual meeting continue as a robust community discussion, but would not include voting. Mr. Aumand stated that the democratic way to decide things would be to give all voters a way to vote, rather than just the few who attend Annual Meeting. It was also discussed that while Zoom is a useful tool for Selectboard meetings, it is difficult to try to moderate with Annual Meeting and to assure that only registered voters are voting.

Town Moderator Leighton Detora spoke to the passion and family environment created by Annual Meeting, which he feels would be lost if all articles were voted on by Australian Ballot. He stated that to kill Annual Meeting would be shortsighted, as it will never come back and the town would lose a valuable asset and life experience for the voters who do attend. Ms. Courtney stated that the biggest issue is to get people interested in attending Annual Meeting and letting them know just how important it is.

On a motion by Mr. Donza, seconded by Mr. Adams, the Board moved to have an article included at the 2024 Annual Meeting to have a floor vote to decide if continue with floor votes at Annual Meeting or to move to Australian Ballot for all voting.

Manager's Report

Mr. Safford provided a DRB abutter notice for 89 Gold Eagle Drive to construct 6 lodging unit cabins, removal of internal roadway and parking area and relocate parking.

Mr. Safford also let the Selectboard know that he has been asked to speak to the Morrisville Selectboard regarding the City/Town Manager form of government. He said his discussion would be factual and not advocating for any particular form of municipal government.

On a motion Ms. Courtney, seconded by Mr. Adams, the Board went into Executive Session to discuss legal matters at 8:03pm.

The Board came out of Executive Session at 8:45pm.

There being no further business, Chair Hagerty adjourned the meeting at 8:45pm.

Minutes respectfully submitted by Abigail Bourgeois.

*Note: The video recording of the meeting is available on the town's website www.townofstowe.org