

# Stowe Selectboard Liquor Commission & Water/Sewer Commission Meeting

Wednesday, June 26, 2024

Akeley Memorial Building  
67 Main Street  
Stowe, Vermont



**Selectboard Members Present:** Billy Adams, Paco Aumand, Jo Sabel Courtney, Nick Donza, Ethan Carlson

**In-Person Attendees:** Town Manager Charles Safford, Assistant Town Manager Will Fricke, Public Works Director Harry Shepard, Public Works Engineer Kestrel Owens, Stowe Electric General Manager Jackie Pratt, Paul Sakash, Beth Gadbois (7)

**Zoom Attendees:** Sarah Farley, Courtney Percy, and 24 others (26)

## Call to Order

Selectboard Chair Adams called the meeting to order at 5:30pm.

## Approval of the Agenda

Chair Adams

Ms. Sabel Courtney moved to approve the agenda with the addition of a Storm Damage Update and Capital Appropriation item. Mr. Aumand seconded. Motion passed (5-0).

## Consent Agenda (Items A-1 through A-7)

1. June 12, 2024 Selectboard Minutes
2. Cady Hill Substation Trailhead Reroute
4. Stowe Rescue Donation – Patient Transport Equipment
5. Cemetery Commission Charge Amendment
6. Special Event Application - Music in the Meadow
7. Special Event Application - Race to the Top of Vermont
8. Liquor Consent Items

Mr. Aumand moved to approve the consent agenda. Mr. Carlson seconded. Motion passed (5-0).

## Storm Damage Update and Capital Appropriation (Item B-0)

Mr. Safford said the community experienced a significant storm event over the weekend. He said public works and highway departments, and several local contractors, have been committed to restoring emergency access to homes in Stowe Hollow and Moss Glen. Travel is limited and those areas are reserved for those who need to be there to access their homes. Many roads are active construction areas. He said they have toured with the VTrans District Administrator to assess whether they may meet requirements for FEMA assistance, but it is not assured, and repairs may be paid for by the Town. He added that even if they do get a disaster declaration the Town will need to front the funding and it can take months or years to recover the money from the federal or state government. The Town is utilizing emergency procurement provisions in order to facilitate expeditious repairs of infrastructure in order to protect life and property.

Mr. Safford added that they had previously projected a surplus for FY24 but they should no longer be anticipated. They will expense as much of the storm damage repairs as they can through the operating budget before June 30. He asked for an additional \$500,000 capital appropriation out of unallocated reserves.

Mr. Shepard said that they had measured 2.4 inches of rain on Sunday afternoon within half an hour, noting that it was a very intense storm. He said people who measure rain in Stowe Hollow may have had slightly higher measurements. Mr. Shepard then presented photos of storm damage to the Selectboard and described the damage and repair efforts.

Ms. Sabel Courtney asked about the level of the toxicity of the water from the flooding. Mr. Shepard said the runoff is sediment-laden and likely not potable and he would not encourage swimming. Mr. Safford said the wastewater plant did not overflow.

Mr. Safford said that a lot of the work to restore emergency access for EMS and Fire is tourniquet work; much of it will need to be revisited with substantially more work reconstructing those roads over the next couple of months. In addition, there are structures that will need to be re-looked at which may involve a more extended period of time. Mr. Shepard said that they have engaged a consulting engineering firm to figure out what some permanent repairs may be. He said his hope is that they are able to find a path forward to get these roads permanent repaired before the winter time with fast-tracked projects.

Mr. Shepard asked for the Selectboard to approve a pre-application for Hazard Mitigation Grant funding for these projects, the deadline for which was extended to August 16.

Mr. Aumand moved to approve the submission of a Hazard Mitigation Grant Program pre-application for infrastructure repairs and improvements associated with the June 24 flooding. Ms. Sabel Courtney seconded. Motion carried (5-0).

Mr. Donza asked if they need to pull back on FY25 paving in order to pay for repairs if they do not get FEMA funding. Mr. Safford said they will think it through and come back to it. Mr. Donza asked about the possibility of a bridge, noting that other bridges in town have been expensive. Mr. Shepard said he tasked the consultant with looking into the possibility of pre-cast arches in specific areas, which would be cheaper than a bridge, and they would also need to know that it would work hydraulically.

Mr. Safford said that this is a lot to put on municipal coffers and that they will be back to the Selectboard in the future with more specifics with regards to total cost and eligibility for funding as this evolves. Mr. Aumand asked for clarification on the financial ask. Mr. Safford said they roughly estimate a million dollars or more on the Town, but that remains to be seen. If there are more substantive upgrades to what was pre-existing infrastructure, that could drive costs and hopefully would be able to offset that through hazard mitigation grants and others, but they will not proceed on those projects until they know what the funding stream is.

Mr. Aumand asked who is estimating the cost. Mr. Shepard said VTrans is making their own estimates, and the Town is keeping track of time and materials. Mr. Shepard said that over time they will have a better understanding of the cost, and at this point estimates are from a gross standpoint to see if it meets the eligibility for a FEMA declaration. Mr. Shepard added that Mr. Shepard did exactly the right thing in mobilizing immediately to restore access for public safety purposes, and then figure out how to pay bills from there.

Mr. Donza asked how billing works with the subcontractors. Mr. Shepard said all subcontractors bill on a time and materials basis. The Town supplies materials, particularly gravel and pipes. Mr. Donza asked how the expensing gravel works if it comes from the Town gravel pit and if FEMA could reimburse for that. Mr. Shepard said they keep track of all gravel used that comes from the Town gravel pit, but that they may have penalized themselves for using it as the Town can produce gravel at about half the price as you would get on the open market. Mr. Safford said that they did exactly the right thing, and they can't be thinking about those things when they need to move product, the Town gravel pit was the most readily available source of gravel. They could not get access to the homes of elderly citizens even with an ambulance or ATV.

Mr. Donza asked if they have a sense of a timeline. Mr. Shepard said the current work is a tourniquet and they may have a better sense once they can receive bids for bigger projects.

Mr. Adams expressed deep gratitude to all staff for their exceptional work, including department heads, truck drivers, excavator operators, and subcontractors. He noted that the community also appreciated these efforts, as seen in positive comments on Front Porch Forum. He said he was glad to hear about engaging consultants for engineering solutions to address unprecedented rainfall and infrastructure issues. In the future there should be focus on identifying weak links in hydraulic capacity and considering enhancing requirements for retaining ponds, land clearing, and adding ditches. Mr. Adams acknowledged the fast response and commendable work by the staff. He expressed a desire to continue discussions on infrastructure improvements once immediate issues are resolved.

Mr. Aumand moved to approve the expensing of remaining fiscal capacity from the FY24 operating budget and to earmark \$500,000 from the unallocated capital reserves for the purposes of June 2024 storm recovery efforts. Mr. Carlson seconded. Motion carried (5-0).

Sarah Farley asked for more consistent communication from the Town on road closures for storm repairs. Mr. Shepard said residents should expect consistent delays throughout the day as contractors work to restore full access. Mr. Fricke said he will set up a specific email list for residents who want more frequent updates.

Beth Gadbois offered to coordinate a lunch to thank the construction crews working on road repairs.

Paul Sakash asked if municipal flood insurance could cover road repairs. Mr. Safford said roads generally are not covered by flood insurance. It may be covered by FEMA but it has to meet eligibility thresholds in terms of the amount of loss on a county and statewide basis.

#### **FY25 Water & Wastewater Budgets, Capital Projects & Rate Schedule Public Hearing (Item B-1)**

Paul Sakash asked about bulk water sales. Mr. Shepard said they sell bulk water for \$0.015 per gallon.

Mr. Aumand moved to adopt the FY'25 Water and Sewer Budgets and Rate Schedule effective July 1, 2024. Ms. Sabel Courtney seconded. Motion carried (5-0).

#### **SED General Obligation Bond Warning (Item B-2)**

Mr. Safford said that he wanted to modify the recommendation to only ask for the approval of the resolution of necessity for capital improvement projects, as the article and warning needs to be approved between 30-40 days in advance of the vote. That will be on the July 24 consent agenda. He said that the vote would be on August 13, to coincide with the state-wide primary.

SED General Manager Jackie Pratt said that the five-year capital plan includes a number of projects that utilize a combination of various funding sources, including operating cash, restricted funds, loans, and grants. Because SED has been successful in obtaining a substantial amount of grant funding, the cost to SED customers for many capital projects will be substantially lower than the total project costs. The ask is for funding for projects slated to begin construction over the next 12 to 18 months. The goal is to utilize USDA PACE loan with 20% loan forgiveness. There are also additional grant applications included that could reduce the total amount borrowed.

Ms. Pratt said the projects are as follows:

- \$400,000 for an Express Circuit which provides redundancy for supplying service to Mountain Rd. in the event of an outage on our sub-transmission line. Improves resiliency and restoration times.
- \$100,000 for a Distribution Automation Loop Feed to improve resiliency and restoration times.
- \$111,000 to upgrade aging infrastructure on Weeks Hill.
- \$475,000 to renovate the Millwright's Office building on SED's Moscow campus into an Emergency Operations Center. The building would also have office space and hydroelectric facility controls.
- \$111,000 for Moscow Mills solar panels.
- \$1.32 million for Micro Hydro Generation and Dam Restoration at SED headquarters, Smith's Falls Dam. It will provide local renewable generation in alignment with Vermont's Renewable Energy Standard.

Mr. Carlson moved to approve the Resolution of Necessity for Capital Improvement Projects. Ms. Sabel Courtney seconded.

Mr. Adams requested clarification on the amount being borrowed. Ms. Pratt said the maximum is \$2.8 million, including contingency, and the loan has a 20% forgiveness once the projects are completed. She said there is no early payment penalty for PACE loans.

Motion carried (5-0).

### **Lamoille County Housing Presentation (Item B-3)**

Mr. Safford said that Doug Kennedy, author of the report, needs to leave by 7:00pm. The Selectboard invited him back to make his presentation at their next meeting.

### **Stowe Housing Task Force Charge Statement (Item B-4)**

Mr. Safford said that at the Selectboard goal setting session, a number of Selectboard members identified a housing committee or task force as a goal. He said there may need to be a study done specifically on Stowe, and the Selectboard may want to consider a capital allocation for that purpose. Staff drafted a charge for a Housing Task Force for the Selectboard's consideration.

Mr. Adams said it may be best to get the data first and do the analysis, and use that to form the housing task force and develop goals for what we want to achieve given that information. He presented to the Selectboard a document outlining housing study goals and data questions. Mr. Adams said they should look to shape an RFP and hire a consultant to answer questions. Ms. Sabel Courtney asked if they can get some of that data from the Lamoille County Housing Study. Mr. Safford said that they can get some of it, but if they want a deeper dive they will need to hire someone.

Mr. Aumand said he does not want to be involved in writing an RFP for a vendor, but he thinks the questions posed by Mr. Adams are good and should be presented to the task force. Mr. Adams said they can hire a consultant that can get to work right away, and then the task force can assimilate that with their work. Mr. Carlson said they may benefit from having a task force in place to frame the data they are looking for, and that he would like to come to actionable points in the coming years rather than another presentation telling us we've got a problem. He asked what other Selectboard members think is the right first step. Ms. Sabel Courtney clarified with Mr. Safford that the first step with the task force would be for them to be appointed by the Selectboard.

Mr. Safford said there is no right or wrong way to approach it, and their options include doing a study and then a task force, a task force that shapes the RFP for a study, doing it simultaneously, etc. He said the charge statement is to give them a general focus on what the Selectboard hopes the task force accomplishes and gives them a deadline.

Mr. Adams said there is an opportunity here to create solutions, but he felt it was important to not jump to the solutions first, and he would prefer a two-part process where the first part is hiring a consultant. He added that he likes the idea of doing it parallel where they can be forming the task force as the consultant is doing their work. Mr. Safford said it may take a while to hire a consultant, and that a task force may have some input and insights to offer before the RFP goes out. Mr. Donza said he tends to prefer Mr. Adams' approach, but the Town has done lots of studies that don't always yield something, and he wants to know what levers they have available to them where they can actually influence outcomes.

Mr. Aumand said he doesn't feel the Board can manage the process of the housing issues, and he wants to appoint a task force of stakeholders that have a knowledge of the topic and are unbiased, are charged with a data-driven approach, can collaborate with relevant partners in Stowe and the region, and can develop a consultant to help them analyze the issues that are mentioned.

Mr. Donza said that the definition of the problem will be different for different people. He said Stowe has always benefited from a diversity of price points that has culminated in a diversity of people that live here. Mr. Carlson said they need a broad approach and they don't yet know the answer to the housing issues.

The Selectboard made edits to the purpose statement, task 2, task 4, task 5, and the budget sections of the draft Housing Task Force Charge.

Mr. Aumand moved to establish a housing task force subject to the yet-to-be-adopted charge statement, and to instruct staff to advertise for interested applicants. Mr. Carlson seconded.

Mr. Donza asked if the Selectboard would add any structure to the meeting schedule of the task force. Mr. Safford said it would be up to the appointment members to choose officers and set a meeting schedule but we need to be cognizant of the amount of staff time available to support their effort along with other obligations.

Motion carried (5-0).

### **Manager's Report (Item C-1)**

Mr. Safford provided the Board with May YTD General, Water, and Wastewater budget actuals.

Mr. Safford provided the Board with a notice about a property subdivision in Morristown that abuts the Town of Stowe.

Mr. Safford provided the Board with Act 250 notices.

### **Public to be Heard Non-Binding (Item C-2)**

Courtney Percy clarified that the purpose of 3-phase electric coming up Weeks Hill Road is for the West Hill Golf Course golf course for special irrigation pumps.

### **Selectboard Meeting Schedule**

Mr. Aumand moved to cancel the Selectboard's August 14, 2024 meeting. Ms. Sabel Courtney seconded. Motion carried (5-0).

### **Executive Session**

Mr. Carlson moved to enter executive session to discuss personnel and contracts. Ms. Sabel Courtney seconded. Motion carried (5-0).

The Selectboard entered executive session at 8:11pm. The Selectboard left executive session at 8:31pm.

### **Adjournment**

There being no further business, Chair Adams adjourned the meeting at 8:31pm.

### **Notes**

Minutes submitted by Will Fricke.

The Selectboard of the Town of Stowe meets on the second and fourth Wednesday of each month at 5:30pm.

A recording of this public meeting is available at: <https://www.townofstowevt.org/selectboardrecordings>