

Agenda Summary
July 24, 2024

Agenda Item No. A-2
FEMA Home Buyout Program

Summary: Enclosed is an email from Philip Roy, owner of 895 Stagecoach Road, and Sara Teachout, owner of 44 North Hollow Road, indicating they would like to participate in the FEMA/VEM buyout or elevation program. FEMA has a program to buy out properties that are impacted by flooding and/or raising the elevation to reduce flooding impact. If the property is bought out, it becomes municipal property. Staff understanding is that the property owner and the municipality have to decide to pursue one program for each property but not both.

Staff recommends a buyout over lifting the elevation. Staff understanding is that raising the elevation involves the Town interfacing with private property as the Town is the party responsible for contracting for elevating the house. If lifting the elevation is pursued, the Town should obtain an agreement with the contractor and the property owner to minimize municipal liability.

The buyout and the elevation programs are competitive programs that can take several years. At this time a pre-application is required to be submitted by August 16, 2024 and the final application is due by November 15, 2024. The Town and/or the property owner can back out at any time. If a buyout is approved, enclosed is an example of the current *Memorandum of Agreement – Expedited Buyout Program* between the Town and Vermont Emergency Management. Staff is trying to obtain a copy of the elevation agreement so that we can understand the specific terms.

The deadline for the pre-application process may be extended but it is not assured. There may be other flood impacted property owners that come forward.

Town Plan Impact: Conforms with and carries out the town's adopted Flood Resiliency Goal: *To limit undue adverse impacts to properties, public infrastructure and public safety as a result of flooding and erosion during high water events.*

Fiscal Impact: The cost of the buyout or raising the elevation is paid for by FEMA and the State of Vermont currently.

Recommendation: Move to authorize the Town Manager to submit pre-applications for any property owner that may come forward who has been impacted by flooding to participate in the FEMA buyout program, but not the program to raise a property owners' elevation.

Will Fricke

From: Philip Roy <treelinemedia@icloud.com>
Sent: Tuesday, July 16, 2024 4:16 PM
To: Charles Safford
Cc: Sarah
Subject: [EXTERNAL] Request to approve Flood recovery application

You don't often get email from treelinemedia@icloud.com. [Learn why this is important](#)

Hi Charles,

Thank you for speaking with me today. I'd like to formally request that the town selectboard approve my application for a buyout or elevation of my property due to flooding.

I am not committed to a particular course of action, I just know that something needs to be done and I need to get the ball rolling.

To summarize; my home is not in a flood zone, according to a 2012 FEMA study.

The Tansy Hill bridge has not been big enough to let the water pass through during extreme weather events, and the Sterling Brook has backed into our home in 2019 and last week.

This will continue to happen without serious alterations to the bridge or the property, or both.

Sarah, is there an application or form that Charles or I need to fill out to present to the town selectboard? I need to get it filled out by Thursday this week.

Charles, here is the link to register for the meeting happening at 6pm tonight re: this program at the United Way in Morrisville.

The Zoom logo is displayed in white lowercase letters on a solid blue rectangular background.

Welcome! You are invited to join a webinar:
Lamoille Elevations and Buyouts Q&A . After
registering, you will receive a confirmation email
about joining the webinar.
us02web.zoom.us

Best,
Philip Roy

Will Fricke

From: Charles Safford
Sent: Friday, July 19, 2024 2:44 PM
To: Will Fricke
Subject: FW: [EXTERNAL] Flooding on N Hollow Rd

From: Sara Teachout <sarateachout@gmail.com>
Sent: Friday, July 19, 2024 2:19 PM
To: Charles Safford <csafford@stowevt.gov>
Cc: Chris Jolly <cjolly@stowevt.gov>
Subject: Re: [EXTERNAL] Flooding on N Hollow Rd

Thank you for coming to see the flood damage at our property. I am planning to attend the Selectboard meeting on Weds. While I understand the Town perspective on buyouts vs elevations I am hoping that they will both be included in the pre application so that all of the options remain on the table for now.

See you next week,
Sara

On Jul 18, 2024, at 8:40 AM, Charles Safford <csafford@stowevt.gov> wrote:

We'll plan on 2:30 or so, but will advise if anything changes.

<image001.jpg>

From: Sara Teachout <sarateachout@gmail.com>
Sent: Thursday, July 18, 2024 8:22 AM
To: Charles Safford <csafford@stowevt.gov>
Cc: Chris Jolly <cjolly@stowevt.gov>; Seth Jensen <seth@lcpcvt.org>
Subject: Re: [EXTERNAL] Flooding on N Hollow Rd

Hi Charles,
Thank you. I am working from home today and tomorrow. This afternoon is more open and 2:30 would be great or other times if you want to let us know.
Sara

On Jul 18, 2024, at 7:45 AM, Charles Safford <csafford@stowevt.gov> wrote:

Hi Sarah,
I will include you for the Selectboard's consideration for pre-application approval at their 7/24/24 meeting. You should plan on attending the open session of the meeting by zoom or in person in the event they may have any questions.

Is there a time after 2pm today or anytime Friday between 8am and 4:30 that I can come up to take a look with you?
Charles

<image001.jpg>

-----Original Message-----

From: Sara Teachout <sarateachout@gmail.com>

Sent: Wednesday, July 17, 2024 3:28 PM

To: Charles Safford <csafford@stowevt.gov>

Subject: [EXTERNAL] Flooding on N Hollow Rd

Hi Charles,

It was good to talk to you last night at the flood mitigation meeting. My husband, Brad James, and I live at 44 N Hollow Rd - the yellow house that is second up on the right. The flooding on Sunday, June 21st was the worst we have experienced in the 20+ years we have lived in our house. The river surrounded us on all sides and was above the first floor on the outside of the house but did not get in the first floor of the house. The basement and yard were completely flooded, our well was polluted, and we lost a big section of the rock wall that protects our house from the river in ordinary spring melt off.

While I question whether the cost benefit ratio would include our situation, we would appreciate it if the town would approve and submit the preliminary application to participate in the FEMA and state flood programs to keep the options open for us and our neighbors.

We appreciate the road crew's substantial efforts to redirect the river upstream but are not hopeful that it will solve the challenge of getting all that water through the culvert under Stowe Hollow Rd and that the flooding will continue at our property unless there is another outlet for the volume.

I am happy to have you visit to see the situation or provide any additional information you will need. My cell is (802) 279-9686.

Thank you for your help with this tough situation, Sara Teachout

**** WARNING ****

This message originated from an external email account. Do not click links or open attachments unless you recognize the sender and know the content is safe.

<Selectboard 7-24 Agenda.docx>



Vermont Emergency Management
Vermont Department of Public Safety
45 State Drive
Waterbury, VT 05671-1300

Toll free: 800-347-0488
Phone: 802-244-8721
Fax 802-241-5556
<http://vem.vermont.gov>

MEMORANDUM OF AGREEMENT – Expedited Buyout Program

Vermont Emergency Management acting as sub-applicant for acquisition and demolition projects under DR-4720

Vermont Emergency Management (VEM) is implementing a voluntary program for acquisition and demolition applications under the DR-4720 (July Storm) round of the Hazard Mitigation Grant Program (HMGP) where VEM will act as sub-applicant on behalf of municipalities. This optional approach benefits municipalities by allowing VEM to take on the bulk of the administrative burden in managing a sub-grant while still transferring the property to the municipality at closing. VEM will manage and pay for contract work related to the awarded sub-grant and assist the municipality in completing all the work awarded under each sub-award.

The acquisition and demolition program is voluntary for both the property owner as well as the municipality. If the municipality is not interested in having VEM act as the sub-applicant, they are welcome to apply to VEM on their own behalf.

What does this mean for a municipality if you take advantage of VEM as the sub-applicant for acquisition and demolition projects?

When VEM is awarded an HMGP sub-grant for an acquisition and demolition project where VEM is acting as the sub-grantee, VEM will promptly begin the work required to meet the Scope of Work (SOW) of the sub-grant. VEM will obtain the contractors, oversee all project work, pay all invoices, and close out the project on the municipality's behalf. VEM will work with each municipality so they are informed and have predictability when work will be completed on properties within their community. Since VEM will be managing the contracts, municipalities will not need to budget money to pay contractors and wait for reimbursements. VEM will be responsible for all project management.

What is required of the municipality to take advantage of this program?

All that is required of the municipality is to agree to the terms outlined below. All relevant parcels will be transferred to the municipality upon closing of the property and will include a deed restriction requiring that the property be maintained as green open space in perpetuity.



Vermont Emergency Management
Vermont Department of Public Safety
45 State Drive
Waterbury, VT 05671-1300

Toll free: 800-347-0488
Phone: 802-244-8721
Fax 802-241-5556
<http://vem.vermont.gov>

This Memorandum of Agreement (“MOA” of “Agreement”) is made by and between
Town of Johnson, VT (“the Municipality”) and Vermont Emergency Management (“VEM”).

NOW, THEREFORE, VEM and the Municipality do mutually agree as follows:

(1) SCOPE OF WORK

VEM will serve as sub-applicant, applying to the Federal Emergency Management Agency (FEMA) for an acquisition and demolition sub-grant. The sub-application will be for properties within the Municipality that property owners are voluntarily seeking to sell through this process. The Municipality agrees to take possession of and maintain such properties as open green space in perpetuity.

If the project is awarded by FEMA, VEM and the Municipality shall implement the Hazard Mitigation Grant Program (HMGP) project as described in the project application.

(2) CONDITIONS

The Municipality shall:

- 1) Interface with homeowners to include but not limited to, coordination with homeowners from application intake to project completion (phone calls, updates to the homeowner, setting up appointments for contract workers to come to the home to conduct work or attending meetings regarding contract work).
- 2) Coordinate with VEM, as well as with contractors and homeowners as needed and as prompted by VEM.
- 3) The Municipality shall take part in all pre-construction, pre-project and project update meetings with the contractor and VEM to ensure they are fully briefed on all aspects of the project and can provide estimated timelines to their Selectboard and homeowners participating in the project.
- 4) VEM may require additional reports as needed. The Municipality shall, as soon as possible, provide any additional reports or documentation requested by VEM. The VEM contact will be the Vermont Emergency Management Hazard Mitigation Grants Manager or State Hazard Mitigation Planner.
- 5) The Municipality shall be present at all closings in order to take title and possession of the properties acquired. The Municipality can convey any interest in the property only if the FEMA Region 1 Administrator, through VEM, gives prior written approval of the transferee. The transferee must be another public entity or a qualified conservation organization.
- 6) The Municipality shall maintain and utilize the properties as open space in perpetuity in



Vermont Emergency Management
Vermont Department of Public Safety
 45 State Drive
 Waterbury, VT 05671-1300

Toll free: 800-347-0488
 Phone: 802-244-8721
 Fax 802-241-5556
<http://vem.vermont.gov>

accordance with the FEMA Model Statement of Assurances for Property Acquisition Projects and the Maintenance Agreement submitted with the application. The Municipality shall ensure compliance with the Deed Restrictions are recorded for all properties acquired.

7) The Municipality shall submit required documentation to VEM every three years to ensure that the property has been maintained as required by Hazard Mitigation Assistance (HMA) Guidance.

VEM shall:

- 1) Provide oversight of all contract work and be the initial point of contact for the Municipality to get answers to questions on behalf of homeowners.
- 2) VEM's Hazard Mitigation Team will be available to meet with the Municipality if any questions about the project arise.
- 3) VEM will coordinate contracts related to this project, review invoices incurred, and review and approve eligible expenses against project.
- 4) VEM will set up a **Project Kick-Off** meeting with the Municipality to review the project budget, project scope of work, project timelines/milestones and associated roles and responsibilities between VEM, the Municipality, and contractors.
- 5) VEM will ensure that all work completed is aligned with the approved scope of work and current Hazard Mitigation Assistance (HMA) Guidance.
- 6) VEM will conduct monitoring every three years to ensure that the property has been maintained as required by Hazard Mitigation Assistance (HMA) Guidance.

 Print Municipality Authorized Agent Name and Title

 Municipality Authorized Agent Signature Date Signed

Stephanie Smith, State Hazard Mitigation Officer
 VEM Authorized Agent Name and Title

 VEM Authorized Agent Signature Date Signed