

**MEETING OF THE
ORWELL SELECT BOARD**

November 14, 2011

7:30 p.m.

Town Office

NOT APPROVED

**Select Board: Walker James
Carla Ochs
Roland Simmons
Miles Tudhope**

**Present: Allen M. Alger
Ray Burnham
Louis Hall, DTC**

**John Leazer
Cindy Leazer
Paul Stone**

**Mark Young, Treasurer
Russell Young**

Susan Ann Arnebold, Clerk

The regular Select Board meeting was called to order at 7:30 p.m. by Roland Simmons, Chair.

1. CITIZENS COMMENTS.

Roland Simmons got a report from Cindy Watrous that George had his operation, is coming along and may be home some time this week.

Paul Stone asked about the culvert repair on Griswold Lane. The Road Foreman explained that he is still in discussion with FEMA concerning the extent of the repair that FEMA will do. Discussion followed. This section of the road will probably have to be closed until the culvert repair is completed.

Ray Burnham inquired about the status of the road across the Betty and Magloire Audet property. Roland Simmons explained that the Town has no plans for any more work [no dumping, no action] at this site. It will stay just the same until at least next year.

The Select Board is trying to get Fed/State funding to help with mitigation and long term stabilization for this area. At this point in time the Select Board is waiting for the GZA options to be presented to them.

2. HIGHWAY REPORT.

a. Road Foreman Report – The brush cutting on town roads is now complete for this year. The Road Crew finished ditching. Grading will start this week along with more preparations for winter.

Allen M. Alger met with the FEMA representative to complete the paperwork to enable Orwell to get FEMA payments.

b. Mount Repair Complaint - Letters – The Select Board received two letters addressing complaints about the recent road repair at the hairpin turn just before the Mount. One was from Steve Zeoli protesting “thoughtless destruction” and one from the Division of Historic Preservation General Counsel, Julie Kelliher. The Chair read the draft reply letter. Discussion ensued.

The Select Board approved the draft letter with one minor correction, to be sent to Julie Kelliher, General Counsel for the Division of Historic Preservation to answer her concerns.

John and Cindy Leazer submitted a letter of thanks and appreciation to the Select Board for correcting the road hazard at the hairpin turn.

Please see attached the series of letters [Zeoli letter, General Counsel letter, Leazer letter] and map concerning the Mount repair.

c. GZA, Geo Tech Progress Report & Bill - Roland Simmons reported that the next step will be the options for remedy that the Select Board will be receiving from GZA some time in December. The GZA bill was received today and was reviewed by the Select Board.

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d. Road Repair Projects – As requested by the Road Foreman for FEMA use, three estimates for storm repair projects was received from Orwell Sand & Gravel. These figures were needed to complete the FEMA payment application process.

3. MINUTES.

Carla Ochs moved to accept the minutes of the regular meeting of October 24, 2011, as written. Walker James seconded the motion. The motion passed – 4 Yes 0 No.

4. PAYMENT OF BILLS.

Roland Simmons moved to pay the General Fund orders in the amounts of \$22,873.10, \$40,000.00 for the Slide Area Reserve Fund, \$43,331.16 for the Legal note, \$2,000.00 Line Item for the Orwell Free Library, the Sewer Fund in the amount of \$100.00 and the Town and Sewer Payrolls. Carla Ochs seconded the motion. The motion passed – 4 Yes 0 No.

5. SEWER REPORT.

Roland Simmons reviewed and signed the Monthly State reports. Notification from the State stating that the permit renewal is due was received by the Select Board. Walker James stated that he and Martin Williams are working on this renewal, due the end of December, 2011.

6. TREASURER'S REPORT.

a. The Select Board received the latest financial report from the Treasurer. Discussion followed.

b. Louis Hall presented a list of delinquent taxes as of November 14, 2011. Discussion ensued.

Miles Tudhope moved to go ahead with a tax sale on the list of thirteen names as presented for the years 2009, 2010 and on any of the thirteen names on this list that have 2011 delinquent taxes. Carla Ochs seconded the motion. The motion passed – 4 Yes 0 No.

Louis Hall will check on the tax sale lawyer's progress and will come back to the Select Board if any changes need to be made.

7. OLD BUSINESS.

a. VLCT 2012 Health Plan – 2012 Decision – The Select Board found that it was difficult to understand the offering from the League. Discussion followed. Roland Simmons will contact the League on Tuesday to get more information and meet with the Road Crew for their input.

b. Trail Status Report – The Select Board clerk confirmed that the letters were sent to the appropriate persons and that the ad for the hearing will be in the November 14th and November 17th additions of the Addison Independent.

Paul Stone asked that the Select Board stop and reconsider changing the Class 4 Road section of Griswold Lane to a trail. Paul Stone feels that the trail designation, because it is not clearly stated by the State, may interfere with access to his farm land.

Roland Simmons explained that this is what the hearing is for, to hear testimony from interested parties. The hearing is warned for November 28, 2011, at 1:00 p.m. at the intersection of Fisher Road and Griswold Lane.

c. Hazard Mitigation – There are federal mitigation funds now available to Vermont towns through the Hazard Mitigation Grant Program. This is a 75%/25% grant program. A letter of intent [brief description of proposal with estimated total cost] is required with a deadline of December 30, 2011. The

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application deadline is January 20, 2012.

8. NEW BUSINESS.

- a. Lawyer Status Report Letter – The Select Board received a status report from Attorney Robert Fletcher on the tax appeals pending in Addison Superior Court. Roland Simmons summarized the report. Discussion ensued. Russell Young suggested that the Select Board get an estimate of costs attached to this court appeal process for budget purposes.
- b. Pollution Control Priority List – This information was given to Walker James for review.
- c. Vermont Trails & Greenways – The Select Board received an invitation to become a member of this Trails association. This membership will provide a voice for trail interests throughout Vermont. Roland Simmons thought this might supply helpful information for the Town's trails.
The Select Board will consider this at a later date.

9. OTHER BUSINESS.

- a. NFIP – Interim Zoning – There is still no real assistance or progress coming from the Addison County Planning Commission on getting Orwell on the NFIP. Discussion ensued.
Mark Young feels that the Select Board must aggressively pursue Adam Lougee to find out what is holding up the Town's application and just where any problems are occurring. Roland Simmons will try again to get the attention of Adam Lougee and Tim Bouton.
As a requirement for any grant application, communities **MUST** participate in the National Flood Insurance Program [NFIP]. Orwell has been sending the information to ACRPC since 2005 and still does not receive confirmation of participation.
- b. Firehouse Loan Payment – Roland Simmons reported that the order went out last week for the payment, the check was received from the Treasurer and mailed promptly to the National Bank of Middlebury for this year's payment on the Firehouse building extension.
- c. BCA Appeal Discovery – The Select Board received copies of the Superior Court appeals discovery from Attorney Robert Fletcher this past week.
- d. Reappraisal Evaluation Study – The VT Tax Dept did an evaluation of Orwell's 2011 reappraisal. The evaluation is performed as part of the equalization study for Orwell's 2011 grand list. If there is an unacceptable equity measurement, the Listers need to explain. Cheryl Tudhope reported that the Listers did indeed give their explanation which was accepted by the Tax Department.

10. ADJOURNMENT.

Miles Tudhope moved to adjourn the meeting at 9:55 p.m. Walker James seconded the motion. The motion passed - 4 Yes 0 No.

Respectfully submitted,

Susan Ann Arnebold

Clerk of the Board