

TOWN OF DERBY, VERMONT
SELECT BOARD MEETING
Minutes
April 25, 2016

Present: Brian Smith, Perry Hunt, Grant Spates, Josh Provost, Beula Shattuck.

Others: Sue Best, Kirk Martin, Ginette Provost, Susan Birchard, Marjolaine Tremblay, Nathalie Ouellet, Paul Prue, Scott Warthin, Rod Lyon, Becky Jacobs, Cory Spaulding, Joe Gresser, Bob Kelley.

MEETING CALLED TO ORDER - 6:00 P.M.

Warrants #9A in the amount of \$16,459.55 and #9B in the amount of \$42,907.99 and #9C in the amount of \$42.79 were signed.

Beula moved to approve the minutes of April 11, 2016, with Perry seconding. Unanimous.

PUBLIC COMMENTS: None.

PUBLIC HEARING – BYLAW AMENDMENTS:

At 6:30 Grant moved to recess the meeting to go into a Public Hearing on proposed bylaw amendments, with Beula seconding. Unanimous.

Total rewrite of Article 1 and Article 9

Article 1: Enactment and Intent

§101 Introduction

§102 Enactment

§103 Intent

§104 Application of Bylaw

Article 9: Administration and Enforcement

§901 Administrative Officer (Zoning Administrator)

§902 Establishment of the Planning Commission

§903 Establishment of the Zoning Board of Adjustment

§904 Zoning Permits

§905 Certificates of Occupancy

§906 Exempt Agricultural and Silvicultural Structures and Uses

§907 Penalties

§908 Public Notice

The Selectboard asked a few questions, otherwise there were no public comments.

Grant moved to close the public hearing and return to their regular meeting, with Perry seconding. Unanimous.

NEW BUSINESS:

Deb Jenkins – VT Motocross Association – They are asking for 4 practice dates on the Saturdays prior to races 6/18, 7/23, 8/6 & 9/3. Grant moved to approve the 4 additional practice dates, with Perry seconding. Unanimous.

Sheriff Department – Sign Contract – The contract is in the amount that was budgeted and approved by the voters. The board signed the contract.

Dailey Memorial Library – The library is asking that the board release the HUD money for their expansion project. Grant moved to release the money to the library, with Beula seconding. Unanimous.

The library also asked if the board would waive the permit fees for a new sign and to renew their building permit. Grant moved to waive the permit fees, with Perry seconding. Unanimous.

Coin Drops – Beula moved to table the decision on coin drops until their next meeting because not all the organizations knew that the requests were due today, with Grant seconding. Unanimous.

Local Emergency Operation Plan Approval – A few minor changes were made from last year’s plan. This is something that needs to be approved annually. Beula moved to approve the plan, with Perry seconding. Unanimous.

Lister’s Grand List Extension – Sue Best is requesting that the board approve a 30 day extension on filing the Grand List. This will move the deadline from June to July. Grant moved to approve the 30 day extension, with Josh seconding. Unanimous.

Excess Weight Permits – JP Sicard, Mathews Excavation, Tetreault’s Maple Farm – Perry signed the permits.

Liquor Licenses – Panana’s Village Pizza – At 6:27 pm Grant moved to go into a Liquor Board meeting to review the application, with Perry seconding. Unanimous.

6:28 pm Perry moved to come out of the Liquor Board meeting, with Grant seconding. Unanimous.

Grant moved to approve the above license, with Josh seconding. Unanimous.

Consider Proposed Bylaw Amendments – Beula move to approve the proposed bylaw amendments to Articles 1 & 9 discussed earlier tonight during the public hearing as submitted, with Grant seconding. Unanimous.

OLD/OTHER BUSINESS:

Review Sand & Gravel and Equipment Bids – The bids were reviewed. Sand will be split between the 2 suppliers. The town will look into getting the gravel in the Beebe pit crushed. Equipment contractors will be used based on availability.

Cobb Road Rocks – The Town needs to specify what is to be done with the rocks that were left within the Cobb Road right of way. At a previous meeting the Town stated that they did not want the rocks, but did not authorize anyone to remove them. Becky Jacobs and Scott Warthin felt that the Court should decide who is to remove the rocks. The Board’s only concern is that the rocks are removed from the right of way at the expense of VEC/Simpson and not the Town. Grant moved to approve the following:

Cobb Road Rocks: In carrying out the 19 VSA 1111(b) Permit dated Sept. 8th, 2009, granted to Vermont Electric Cooperative (VEC) for underground electric service to the property of Paul Simpson, rocks and stones have been left within the Town’s Cobb Road Right of Way as a result of the blasting and excavation. The Town has no desire to use or possess these rocks and stones.

Therefore the Town of Derby authorizes and requests that VEC/Simpson remove, at their expense, the stone and rock left with the Cobb Road right of way as a result of the blasting/excavation done under the VEC/Simpson 19 VSA 1111(b) Permit dated Sept. 8th, 2009.

This request does not pertain to any stones or rocks that may have been place outside of the Cobb Road right of way onto private property and does not in any way grant VEC/Simpson the right to trespass onto private property. The Town of Derby does not wish to get in the middle of the civil suit between Simpson/Emmons and only wishes to address the stones and rocks left within the Cobb Road right of way.

Seconded by Beula. Unanimous.

Beach House – Need to decide what to do with the beach house this year. Nobody wants to run it because they cannot make any money. Coutts will be asked if they can assist us in opening and closing the beach house daily. The road crew will have the beach house open prior to the Dandelion Run on May 21st. Bob will create a web page to better advertise the availability of the facility.

VASA ATV Use of the Town Forest – Cory Spaulding updated the board. Nedobity has signed off on the use near his property. The town was given a copy of the permission form.

ROAD REPORT:

The Pine Hill culvert is waiting on the State to approve a start date. Sand usage over the winter was low. A lot of culverts need to be replaced again this year. It will be a busy summer. The Board signed the Annual Financial Plan for Town Highways required by the state.

EXECUTIVE SESSION: None.

ADJOURNMENT:

The next regular meeting is scheduled for 6:00 p.m. Monday, May 9th.

At 7:34 pm Beula moved to adjourn, with Grant seconding. Unanimous.

Submitted by Bob Kelley

Unofficial until approved