

Minutes:

Stowe Electric Commissioners' Meeting
May 20, 2009 7:45 a.m.

Present:

Ted Teffner, Chairman; Denise Gutstein, Vice Chairman; Art Lloyd, Commissioner; Ellen Burt, General Manager; Pat Householder, Controller; Steve Lambert, Superintendent of Operations; Ed French, SED Attorney; Dawn Haslam, Clerk of the Board

Ted called the meeting to order at 7:46 a.m.

Election of Officers & Appointment of Clerk of the Board

Denise made a motion to have Ted remain Chairman of the Board, Art seconded and the motion carried.

Ted made a motion to have Art serve as Vice Chairperson of the Board, Denise seconded and the motion carried.

Denise made a motion to have Dawn remain Clerk of the Board, Art seconded and the motion carried.

Approval of Minutes:

Ted made a motion to approve the Minutes of the April 15, 2009 meeting with one change on page 2 regarding Paul Reeds comments. It was suggested by Art that Mr. Reed's comments on his interest in the Kirchner property be quoted. Once the changes are made the Minutes will be approved at the June 18, 2009 meeting.

Ted made a motion to approve the Special Minutes of the April 16, 2009, Denise seconded the motion and the motion carried.

Superintendent's Report

Steve spoke about John Davis and his refusal to get his Pole Top/Bucket Rescue Certificate because of a medical condition. It was discussed what the protocol will be for this issue. All agreed that if a lineperson does not get his/her Pole Top/Bucket Rescue certificate they do not climb. Steve added that Ed Sandshaw would be going to take his test to receive his certificate.

Steve asked whether he should be billing SD Ireland or the Town in regards to services rendered on the Mountain. It was discussed and agreed that Ellen would set up a meeting between Steve, Justin, Charles and herself to review the billing issues.

A discussion ensued about the problem regarding SMR energizing the 34.5 without notice to SED. Steve said he felt it necessary that SED be notified of their need to energize and that we'd execute the job at cost to eliminate any danger to unqualified personnel working on the lines. Ellen interjected that there have been unqualified electricians who have been working on the lines. It was decided that Ted, Ed, Ellen and Steve would meet with SMR to review standard electric utility protocol and establish a procedure to follow.

New Building Update

SED went before the Design Review Board on May 19, 2009. Ted and Ellen explained that the meeting went very well. Darrow Mansfield gave a complete presentation of the New Building design. Their request was SED return to the next meeting with a lighting plan for the building. Ted explained that the only other issue was a woman who lived just up from the Kirchner property who wanted to make sure there would be effective landscaping of trees/bushes from her view.

Ed stated the David Jaqua spoke and asked if there would be a covenant within our permit on the property stating we would do no further building beyond our current plan. Ted added he felt it would be in our best interest to possibly state SED reserves the right to expand our use as necessary with approval but we would agree to not add another building or garage without approval.

Union Contract

Art made a motion to adopt the Union Contract for the years 2009-2011; Denise seconded the motion and the motion carried. All the Commissioners signed the eight (8) copies of the contract.

Discussion of Right-Of-Way SED Garage Property

Ellen stated that she spoke with Peter Scheuermann and he asked that if we ever sold the Garage property could we put in writing that his driveway be given a wider right-of-way. It was concluded that nothing would be done at this point in time.

Other Business

Denise made a motion to adopt and approve the Resolution of Certificate as circulated for Bond Financing; Ted seconded the motion and the motion carried.

Ellen began by having Susan Tinker join the meeting to explain an issue we have ongoing with David Wolfgang, owner of Pinnacle Sports. Susan stated that Mr. Wolfgang has five meters on his property and two of the meters were incorrectly named and numbered. This change in meter names/numbers dates back to approximately 2003. Ellen interjected that we have no customer comments or paper work referencing who requested the change of names on the accounts, or who might have made the change within SED. David became aware of the inconsistency when a former tenant felt he was being over-billed on his electric account and suggested he was paying his neighbor's bill. The tenant was living in a one-bedroom apartment and the neighbor in a two-bedroom apartment with air conditioning. After doing a thorough investigation of the meters and the property it was determined that the meters were in fact backwards. The aggrieved tenant asked that Mr. Wolfgang reimburse him \$500.00 for being over-charged. In turn, Mr. Wolfgang asked that SED share the cost of the amount owed.

Ellen explained that in the future all tenants will be listed on individual bills and a verification of meter to property will be done.

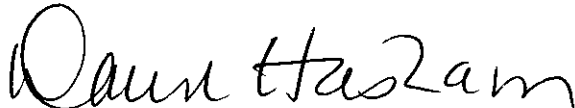
Ted made a motion to reimburse David Wolfgang \$250.00 with a letter of acceptance and signature stating he will forward the monies to his former tenant, Denise seconded the motion and the motion carried.

Ellen informed all that she has been e-mailing with Charles Safford in regards to clear titles to SED's real property. The Town has requested the title to the Village Substation, that we underground the electric lines and in return the Town will pay \$5,000.00 to SED, sign over to SED the titles to the Wilkins, the Lodge, the Houston, the Moscow, and the Dewey Substations, then place the gravel needed after the clean up at the Village Substation.

Ed stated that he was made aware of a legal opinion Steve Stitzel had written. He said he was going to ask Charles for a copy of this legal opinion and then try to get together with Mr. Stitzel to begin the process of clarifying the title issue.

There being no further business the meeting was adjourned at 9:19 a.m.

Respectfully submitted,



Dawn Haslam
Clerk of the Board