

Agenda Summary
September 23, 2019

Agenda Item No. 6-B
Discussion Regarding Charging the Schools for use of Stowe Arena

Summary: The Stowe Recreation Commission recommended the Selectboard *explore charging the schools for their use of the Arena*. The Town of Stowe and the Stowe School District currently have a Memo of Understanding (MOU) agreement in place which permits each to utilize one another's grounds and facilities without an exchange of dollars since at the time the exchange was considered to be of "roughly equivalent value." Since the MOU was agreed to, the Stowe School District has merged into the Lamoille South Unified Union School District. The MOU is based on a "roughly equivalent" value of usage of each other's respective facilities and grounds which was determined to each be at an approximate value of \$35,000.00 as of FY14. The MOU was written and signed by both parties in 2014 and set to automatically renew in (1) year increments unless either party notifies the other of intentions to not renew by March 31st of any given year. The enclosed documents show the current Town use of School facilities and grounds and the School use of Town facilities and grounds as well as the approximate values. Staff estimates the current estimated values of School use of Town's facilities in FY'19 was \$47,528.78. The Town's use of School facilities was \$8,252.50 during the same time period (See Enclosed Breakdown). Part of the reason for the current inequity is at the time it was anticipated that the summer camp would have more extensive use of the schools, but it never came to fruition because of maintenance and other school needs.

There is currently not an equivalent exchange of services; but could potentially be through increased access and utilization. The Schools could reduce their usage and / or increase their cost. Although it doesn't involve new revenue, it would be more transparent by clearly reflecting the cost for services for different municipal corporations and funds. Although municipal corporations cooperate with one another, by way of example, the Town's Water, Sewer, General and Electric Funds are paid for services provided to each other.

Town Plan Impact: N/A

Fiscal Impact: See above.

Recommendation: Discuss and advise, so that staff can prepare the FY'21 budget accordingly.

**Memorandum of Understanding
Between
Town of Stowe and Stowe School District**

This Memorandum of Understanding (hereinafter "MOU") is made and entered into as of the 14th day of October, 2014, by and between the Town of Stowe, a Vermont municipal corporation with its principal place of business in the County of Lamoille, State of Vermont (hereinafter the "Town") and the Stowe School District, with its principal place of business in the County of Lamoille, State of Vermont (hereinafter the "District").

WHEREAS, the Town owns and operates an ice skating facility and has other recreational grounds in Stowe which are utilized by the District; and

WHEREAS, the District has various facilities and grounds in Stowe which are utilized by the Town; and

WHEREAS, both the Town and the District have a mutual obligation to its taxpayers to provide community recreational opportunities and activities which utilize publicly owned facilities whenever said use is reasonable and does not conflict with a facility or grounds primary intended purpose (ie. in the case of District facilities and grounds, use by the Town does not conflict with school programs or events and in the case of Town facilities and grounds, use by the District does not conflict with Town programs or events); and

WHEREAS, the District is required to report annually to the Vermont Department of Education the amount paid to or received from its municipality, including donated property and in-kind services; and

WHEREAS, the District Uses town facilities for the Friday Program, boys and girls ice hockey and up to 3 weeks of turf time in the spring, and the Town uses District facilities for Summer Rec, Kids Night Out, Teen Nights, pick-up sports, vacation camps and other events; and

WHEREAS, the Town and the District have reviewed the respective usage of each other's facilities and grounds and have determined that the respective usage was roughly equivalent in value and estimated to be approximately \$35,000 (FY 2014; \$25,000 FY 2010) ; and

WHEREAS, the Town and the District do not anticipate that the respective usage of each other's facilities and grounds will materially change in future years; and


WHEREAS, the Town and the District desire to specify the term and conditions under which each shall utilize the other's facilities and ground, and the respective responsibilities of the parties; and

NOW, THEREFORE, in consideration of the covenants and conditions herein contained, the parties hereby agree as follows:

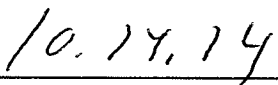
1. The Town shall be allowed the use of District facilities and grounds for community purposes, including recreation, in accordance with District policies.
2. The District shall be allowed the use of Town facilities and grounds for District sponsored athletics and educational programs in accordance with Town policies.
3. The term of the MOU shall be in effect during the period July 1, 2014 through June 30, 2015. This MOU shall renew automatically in one (1) year increments unless either party notifies the other party in writing of its intent not to renew on or before March 31 of any given year.
4. The District shall maintain comprehensive general liability insurance coverage with respect to all school properties, including the grounds, in such amounts as are commercially reasonable. The Town shall be named as an additional insured on each such policy. The District agrees to indemnify and hold harmless the Town, its agents, employees, contractors and officials, from any claims, losses or damage, and expenses incidental to the defense of claims related thereto, arising from its use of Town facilities and grounds for District sponsored athletics and educational programs in furtherance of this Agreement except workers compensation claims made by Town employees, and claims, losses or damage attributable to the willful misconduct or negligence of Town employees.
5. The Town shall maintain comprehensive general liability insurance coverage with respect to all Town properties, including the grounds, in such amounts as are commercially reasonable. The District shall be named as an additional insured on each such policy. The Town agrees to indemnify and hold harmless the District, its agents, employees, contractors and officials, from any claims, losses or damage, and expenses incidental to the defense of claims related thereto, arising from its use of District facilities and grounds for Town sponsored community purposes, including recreation in furtherance of this Agreement except workers compensation claims made by District employees, and claims, losses or damage attributable to the willful misconduct or negligence of District employees.

In witness whereof, the parties hereto have caused this MOU to be executed as of the date indicated above.

For the Town of Stowe:

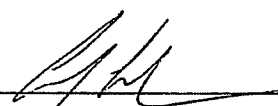


Charles Safford, Town Manager

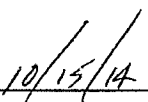


Date

For the Stowe School District:



Andrew Lundeen,
Director of Finance & Operations



Date

Town Recreation Use of School Facilities		
Program Name	Number of Days/Hours	Approximate Cost
Afterschool Program *	1.5 hrs./24 Fridays & 3hrs./6 days (Full Day Program)	\$1,417.50
Kids Night Out Program*	8 total hours	\$210.00
Fencing- Introduction and Beyond	3 hrs./week for 5 weeks	\$225.00
Gymnastics	1 hr./week for 1 week	\$26.25
Cheer & Stunting	1 hr./week for 1 week	\$26.25
Stowe Youth Basketball	1.5hrs./day/M-F & 4hrs/day/Sa	\$3,320.00
Open Gym Time	4 total hours	\$105.00
Performance Series	1 hr/day for 3 performances	\$78.75
Halloween Party	1 day	\$105.00
Kids Carnival Chaos	1 day	\$105.00
Daddy Daughter Dance	3hrs	\$78.75
Summer Camp**	5 days x \$105	\$525.00
Easter Egg Hunt	1 day	\$105.00
Custodians for basketball on Saturdays	40 hours x \$35	\$1,400.00
Custodians for events	15 hours x \$35	\$525.00
		\$8,252.50

*Programs no longer operated by the Town

**Summer Camp has annually utilized up to 19 days. Due to gym renovations in 2018 the facility was not available.

School Utilization of Town Facilities	
Program	Approximate Cost
High School Hockey - ice	\$35,358.75
High School Lacrosse - turf	\$6,750.00
Friday Program - ice	\$3,670.00
Middle School Soccer - fields	\$1,750.00
	\$47,528.75

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4/22/2019	8:00 PM	9:15 PM	HS LAX	STOWE SCHOOL DISTRICT	\$175.00
4/23/2019	5:45 AM	7:00 AM	HS LAX	STOWE SCHOOL DISTRICT	\$162.50
4/23/2019	8:30 PM	9:45 PM	HS LAX	STOWE SCHOOL DISTRICT	\$175.00
4/24/2019	5:45 AM	7:00 AM	HS LAX	STOWE SCHOOL DISTRICT	\$162.50
4/24/2019	9:00 PM	10:15 PM	HS LAX	STOWE SCHOOL DISTRICT	\$175.00
4/25/2019	5:45 AM	7:00 AM	HS LAX	STOWE SCHOOL DISTRICT	\$162.50
4/25/2019	8:00 PM	9:15 PM	HS LAX	STOWE SCHOOL DISTRICT	\$175.00
4/26/2019	5:45 AM	7:00 AM	HS LAX	STOWE SCHOOL DISTRICT	\$162.50
4/26/2019	7:00 PM	8:15 PM	HS LAX	STOWE SCHOOL DISTRICT	\$175.00
Total					\$6,750.00

Start Date	Start Time	End Time	User	Organization	Fees	Skate Rentals
5-Jan	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
11-Jan	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
25-Jan	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
1-Feb	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
8-Feb	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
15-Feb	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
8-Mar	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
15-Mar	12:30 PM	2:15 PM	Friday Program	STOWE SCHOOL DISTRICT	\$358.75	\$100.00
Totals					\$2,870.00	\$800.00

HS Hockey	\$35,358.75
HS Lax Turf	\$6,750.00
Friday Program Ice	\$3,670.00
Total	\$45,778.75