



**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Wednesday, January 24, 2023**

**Present:**

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Paco Aumand, Jo Sabel Courtney

**In Person Attendees:**

Town Manager Charles Safford, Assistant Town Manager Will Fricke, Finance Manager Cindy Fuller, Public Works Director Harry Shepard, Joe Mclean, Jeff Jackson, Peter Kelly, Ethan Carlson, Matt Anderson, Leslie Anderson, Tanya Kateri, Mark Carroll, Linda Hunter, Alisa \_\_\_\_\_, Tiffany Donza, Nancy Krakower, Barb Puddicombe, Weston Noyes, Tom Burgess, Missy Burgesss, Alison Beckworth, Beth Gadbois, Brooke Dingleline

116 joined via Zoom.

**Call to Order**

Selectboard Chair Lisa Hagerty called the meeting to order at 5:02pm.

**Approval of the Agenda**

Ms. Jo Sabel Courtney moved to move Item A-8 from the consent agenda to the first item of regular business, and to modify the title of item B-3 to Short Term Registry Ordinance Work Session and Potential Executive Session. Mr. Paco Aumand seconded the motion. All were in favor.

On a motion by Ms. Courtney, seconded by Mr. Aumand, the Board approved the modified agenda. All were in favor.

**Executive Session**

Mr. Aumand moved to find that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage. Ms. Courtney seconded. All were in favor.

Mr. Adams moved to go into executive session to discuss Contracts and Real Estate, and to include the Town Manager, the Assistant Town Manager, and the Public Works Director. Mr. Donza Seconded. All were in favor.

On a motion by Mr. Adams, seconded by Mr. Donza, the Board came out of Executive Session at 5:33pm. All were in favor.

### **Consent Agenda**

1. 1/10/24 Selectboard Minutes
2. Lower Village Pump Station Intended Use Plan for Clean Water
3. Fund Application
4. Town Plan Consulting Contract
5. Water Allocation: 0 Poppi Bear Lane
6. 38 Palisades Street Hold Harmless Agreement
7. Stowe Police Officers Association Agreement
8. Annual Certificate of Highway Milage
9. Event Application – Stowe Derby
10. Event Application – Main Street Live Music Series
11. Event Application – Vermont Pumpkin Chuckin’ Festival
12. Liquor Items

On a motion by Ms. Courtney, seconded by Mr. Adams, the Board approved the consent agenda as presented.

### **Mayo Farm Pole Barn HPC Review to Remove**

Mr. Charles Safford outlined the situation regarding the Mayo Farm Pole Barn, which has collapsed and is an attractive hazard. Given the extent of damage and its current condition, it is not practical to reconstruct it. Under the Town’s Zoning Regulations, it is considered a historic building which requires review by the Historic Preservation Commission (HPC) prior to demolition. If authorized, the Town Manager will apply for a zoning permit to remove the damaged building and seek review from the HPC.

Mr. Aumand moved to instruct the Town Manager to put together the proper justification to manage this issue through the existing processes of the HPC and the DRB as necessary. Ms. Courtney seconded. All were in favor.

### **FY’25 General Fund Budget Public Hearing**

Mr. Safford noted that the budget represents a 2.7% net increase while maintaining current levels of service and recognizing wage pressures. He also summarized capital projects the Selectboard agreed to advance; Memorial Room Audio Video System Improvements, Moscow Village Flashing Speed Signs, Recreation Path Reconstruction between Town Farm Lane to Cape Cod Road, Akeley Building HVAC Replacement, and an Emergency Management Building Generator at Stowe High School.

The Selectboard discussed the merits of shifting the primary emergency management shelter from Stowe High School to the Stowe Arena. They agreed that while the Stowe Arena is already outfitted with a generator, it would be inadequate as a primary emergency shelter due to the size of the space as compared to Stowe High School.

Chair Hagerty opened the public hearing at 5:52 PM. Ms. Beth Gadbois raised the possibility of increasing compensation for the Selectboard. Mr. Safford has said the Selectboard could amend the floor meeting warning, or a voter could make a motion on the floor at Town Meeting to change the level of pay. Mr. Allen Ouelette, via Zoom, expressed agreement that the Stowe Arena would be inadequate as a primary emergency shelter.

There being no further public comment, Chair Hagerty closed the hearing at 6:10pm. The Selectboard agreed to advance the FY'25 General Fund budget as presented to the Annual Meeting Warning Adoption hearing set for January 31.

### **Draft Annual Meeting Warnings**

The Selectboard agreed to hold a Town Meeting informational hearing on Wednesday, February 28.

Mr. Safford explained that this year's Australian ballot warning includes the article for a \$3 million dollar Stowe Electric Vermont TRANSCO Equity Purchase, in addition to regular election articles. The floor article ballot includes voter consideration to move the budget approval and all other articles to the Australian ballot system (paper ballot).

Mr. Donza requested that Article 1 for the Town Meeting floor vote be amended to add the word 'property' in the final line:

*Shall the voters approve the Selectboard's proposed General Fund Budget of sixteen million seven hundred sixty-seven thousand six hundred twelve dollars (\$16,767,612) of which twelve million thirty-eight thousand and nine hundred ninety-three dollars (\$12,038,993) is to be raised by property taxes and four million seven hundred twenty-eight thousand six hundred nineteen dollars (\$4,728,619) is to be funded by non-property tax revenues?*

Mr. Safford said they will make the change. He also clarified that the final article will not include the departmental line items, but they will otherwise be available for reference in the Annual Report.

Mr. Adams asked if there is merit to amending Article 2 to clarify how capital projects are funded. Mr. Safford recommended explaining those funding mechanisms during the Town Meeting rather than the article itself. Unlike the operating budget where you are asking to raise taxes to fund it, the voters have already approved rooms, meals, and alcohol taxes.

Mr. Donza asked if we are bound to the list of projects if they are listed in the article. Mr. Safford explained that reserve funds are under the control of the Selectboard, and that the Selectboard has historically used the Town Meeting to see whether voters are in alignment on these projects, but reserved the right to advance projects is time was of the essence or the Selectboard otherwise thought it was in the best interest of the municipality to advance projects without doing so. It was noted that if the Town Meeting votes to move all questions to Australian Ballot, articles would be required to be final prior to Town Meeting Day, and there would no longer opportunities to amend them on the floor.

Mr. Safford noted that the special meeting to adopt the Town Meeting warnings is to be held at 5:00pm on January 31. It must be held between 30 and 40 days prior to the Town Meeting.

The Selectboard agreed to advance the Annual Town Meeting articles, with the aforementioned edits, to the warning adoption hearing set for January 31.

### **Short Term Registry Ordinance Work Session and Potential Executive Session**

Mr. Safford presented the Selectboard with a revised draft that incorporated their requested changes from the January 10 work session.

Chair Hagerty opened the meeting with 30 minutes of public comment at 6:46pm, after which Mr. Safford outlined the ordinance adoption process at the request of Mr. Donza. The Selectboard then proceeded with their work session, beginning with revisions to the ordinance purpose statement. Ms. Brooke Dingedine was recognized by the Chair and presented the board with a revised purpose statement. The Board was agreeable to the revised purpose statement and incorporated it into the draft ordinance.

The Selectboard continued with their ordinance work session and directed the Town Manager to make various edits to the language of the ordinance, including changes that would clarify the ability of STR owners to register at any time in the calendar year, and further clarification that the STR owner and the Designated Responsible Person may be the same natural person. The Board also discussed a requirement that STR owners install a lock box or lock box equivalent. Mr. Adams noted that a lock box would alleviate pressure on the Fire Department. The Board discussed the ability of a municipality to regulate short term rentals that accumulate fewer than 14 rented days per year, but Mr. Safford advised to not incorporate that change into the draft ordinance until they had received advice from legal counsel to see if it is permissible to do so.

Mr. Donza asked Mr. Safford if they would pick up where they left off with the ordinance, pointing out that they had not made it even halfway through. Mr. Safford replied that it will take the Town Attorney some time to incorporate the edits, so it will probably be at the next regular meeting on February 14 where they will hold another work session, and unless the Selectboard tells him otherwise that is what they will try to prepare for.

No action was taken at this time.

### **Manager's Report**

Mr. Safford provided the Selectboard with the December Year to Date Budget Actuals and noted that everything is tracking as expected.

Mr. Safford provided the 2023 Equalization Study Results. Each year, the State of Vermont Department of Taxes is required to certify the equalized education property value and coefficient of dispersion for each Vermont town. The study found that the Common Level of Appraisal for 2023 was 56.61%, and the Coefficient of Dispersion was 25.59%. In general, both results indicate that property appraisal values are below market values and would necessitate a reappraisal. However, the Town Appraiser is already in the process of a town-wide reappraisal and is reviewing whether these results should be appealed.

Mr. Safford provided a letter from the Stowe Land Trust outlining that the Vermont Housing and Conservation Board (VHCB) will be acquiring a conservation easement on Stowe Land Trust's acquisition of the Gardner property located at 0 Megan's Way in Stowe. They expect to close on the property at the end of January.

Mr. Safford noted that the Lamoille Legislative Breakfast will be taking place at 8:00am on Monday, February 5 in the Akeley Building.

Mr. Safford also provided the Lamoille FiberNet 2023 Report/2024 Plan, two Act 250 Minor Notices pertaining to Westview Heights Drive and 876 Mountain Road, and Board/Commission minutes.

### **Executive Session**

Mr. Aumand moved to find that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage. Ms. Courtney seconded. All were in favor.

Mr. Aumand moved to go into executive session to receive confidential attorney client communications and the provision of professional legal services. Mr. Donza Seconded. All were in favor. The Selectboard entered executive session at 10:47pm.

On a motion by Mr. Adams, seconded by Mr. Donza, the Board came out of Executive Session at 11:33pm. All were in favor.

### **Adjournment**

There being no further business, Chair Hagerty adjourned the meeting at 11:33pm.