Town of Panton Chartered 1761

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Selectboard Meeting Minutes
June 10, 2024

In attendance: Selectboard Chair Howard Hall, Selectboard Vice-Chair Teresa Boucher, Road Foreman Rick Cloutier, Town Clerk & Treasurer Maggie McCormick, Cindy Cooke, Sharon Ashcraft, Kathy Kennett, Chuck Kennett, Jean Jackson, Richard Jackson

Via Zoom: Marcia Haas, David Hazel, Chris Wyckoff, Terry

1. Howard called the meeting to order at 5:32 p.m.

2. Additions/deletions to the agenda. None.

3. Approval of the minutes of the May 28, 2024 Selectboard Meeting
    a. Tabled

4. Road Foreman's Report
    a. Rick and Jeff have been leveling the shoulders on Slang Road so that water runs off the crest of the road.
    b. Emissions requirements for diesel trucks will become more stringent in 2027, which is expected to increase purchase prices an additional $40,000. The Town should consider replacement purchase before then.
    c. Numerous road signs have been hit.
    d. Jackson Road will be ditched next week.
    e. The Mack dump truck needed new front tires at $1600 each.
    f. There is no firm delivery date for the new pickup truck.

5. Emergency Management Coordinator's Report
    a. Tabled

6. Reappraisal Grievance Hearings
    a. There are approximately 15 hearings scheduled for Tuesday
    b. Town Hall will be closed except for the hearings.

7. Addison County Sheriff's Contract Renewal
    a. Patrol rate has increased from $39/hour to $41/hour.

8. Teresa moved to renew the Addison County Sheriff's contract. Howard seconded. All in favor; the motion passed.

9. Vergennes Area Rescue Squad (VARS) Contract Renewal
    a. Tabled.

10. New Polling Place Firearms Prohibition Act 120 13 V.S.A. § 4027
    a. Maggie informed the Board that firearms are prohibited in polling places.

11. New Open Meeting Law Legislation S.55
    a. Maggie informed the Board that legislation that requires public meetings must be recorded, and the recordings posted. Law goes into effect on July 1, 2025.

12. Public comment
    a. Cindy Cooke about the solar proposal:
        i. Why would the Town work with a company {Viridis] that has a criminal record?
            1. Howard responded that the Town is not hiring the company. Howard stated that there are likely convicted criminals that live and work in Panton, and they cannot be forbidden from living and working in Panton. The Town is not interested in potential litigation over possible discrimination.
        ii. Will the Board take into consideration what residents want?
            1. Teresa responded that private landowners can decide what to do with their land. It's challenging to tell people what they can and can't do with their property. The Selectboard is responsible to hear residents' concerns
            2. Howard stated that the Town cannot dictate what people do with their property, whether the neighbors like it or not. Also stated that the Selectboard has taken residents' input into consideration in every decision they make.
    b. Reed Wills stated he's attending because Dave Hazel couldn't make it to this meeting. He informed the group that Viridis will host an open house at Panton Town Hall on Wednesday, June 12 at 5:00 p.m.to with subject matter experts on hand to answer questions.
        i. The meeting on May 22 was interesting and very interactive.
        ii. Planning Board requested funds to study the project
        iii. Several months away from submitting application to PUC.

iv. Their goal is to communicate effectively.
v. To the extent that it's possible, they would like to work collaboratively.

c. Howard asked Reed to confirm that Viridis did not choose Panton's attorney. Reed confirmed and clarified that setting up escrow accounts for legal fees is a common practice.
d. Jeanne Jackson
    i. Is not in favor of the solar field.
e. Joseph Marszalkowski:
    i. What has the SB done to get "something" out of the solar company? Any incentives?
        1. Howard replied that there have been no conversations between the Selectboard and the solar company about incentives. Nothing yet.
    ii. Joe: The Selectboard should negotiate ahead of the permit application.
        1. Howard and Teresa responded that the board is waiting for DRB to vote on opening the Energy Plan for amendment. Both DRB and Selectboard will work together to create "demands"
    iii. Joe: What is your opinion on having the solar outside of the current Town Plan.
        1. Howard said he doesn't have an opinion and he would like an aerial view.
            a. Joe asked if the board had a statement. Howard said he has no opinion.
        2. Teresa stated the whole board needs to get the whole board together with a map.
    iv. Joe: You can tell from the map that more than 50% of the project is outside of the area in the energy plan.
f. Kathy Kennett:
    i. Stated she is really upset with Howard's answer to Joe. The map is on town website, and he didn't attend the first Viridis public meeting on May 22.
        1. Howard was out of town.
        2. Teresa had other obligations.
    ii. Stated that the Selectboard has too many executive sessions. Believes that many things discussed should be discussed in open session.
    iii. Stated the discussion of the Viridis escrow should be in public session.
    iv. Stated the position being hired for should be discussed in open session.

v. Howard replied that the Selectboard is following open meeting laws. Executive Session is for the discussion of the relationship between employees and the board.
vi. Howard replied that a legal document discussed in open session could alert "opponents" to strategies.
vii. Kathy: Is this the only escrow account that can be requested? What about money for decommissioning?
viii. Maggie stated that requests for escrow funds for other aspects of the project can be made.
ix. Teresa stated that she understands why people are upset, but feels attendees are hostile and asked that attendees trust that the board wants to do the best thing for the town. When there is an opportunity to get all the Selectboard, the project will be discussed. The Selectboard is comfortable with the timeline they have for the project.
x. Howard stated that he and the Selectboard have worked hard to improve the town and lower taxes.
xi. At this point, the Town lost internet connectivity and the meeting was paused until the Zoom portion of the meeting was restored.

g. Sharon Ashcraft:
i. Stated that she had comments from community members. The Selectboard requested to hear only from people who vote in Panton.
ii. With respect to telling people what they can do with their own land—this area is not zoned for industrial/utility-scale solar fields. Zoning in place to protect residents.
iii. Adam Lougee said that the Panton Enhanced Energy Plan should not be changed.
iv. Dead Creek most visited WMA in the State.
v. Solar company cannot have any 300 acres wherever they want.
vi. Teresa asked if an Environmental Impact Statement would be needed. It was agreed that this would likely happen.
vii. Howard asked to hear from Adam Lougee directly and suggested he be invited to a meeting.
viii. Tourism is a big economic driver in Vermont, and this would alter the scenic value of the area.
ix. Would like an outside environmental assessment by an outside contractor of our choosing to assess impact on bird migration
x. Would like a soil sample completed by an outside contractor of our choosing. to evaluate the loss of use as farmland. Suggested use for affordable housing.

xi. Maggie interjected that the land is privately owned, and the Town does not get to dictate what the owners do with it.
xii. Teresa stated that the Town cannot decide what the owner can do with their property.
xiii. Howard stated that the Energy Plan was voted on by Town voters.
xiv. This project will put a farmer out of business and that doesn't sit well with her.
xv. Read comment from Lorraine Kayser: How can we trust a company that violated international bribery laws. This is not sitting well with many people.
xvi. Howard thanked people for their comments. Teresa stated this project is important to lots of people and to the board.

13. Communications
    a. Maggie informed the board that an initial meeting between Vergennes City Manager Ron Redmond, surveyor Tim Cowan, and her to kick off the boundary survey project would be held on Friday morning.
    b. Maggie asked about putting the annual audit out to bid. It will be discussed at another meeting when Zach is present.
    c. Maggie stated the Town received another unsigned post card against solar field.
    d. Maggie recounted that on Friday, Town Hall was without internet, apparently due to the failure of a battery backup. By the time the IT tech arrived, the internet was working again. The replacement battery he brought was kept here in case of another failure. The battery costs about $150. The tech also recommended additional memory for the Zoom laptop for better performance. Additional memory will cost about $80.

14. Review/approval of accounts payable warrant, timesheets & payroll warrant

- Sharon was recognized although out of order and clarified that what was voted on was the Town Plan in its current form.
- Howard moved to accept the warrants and timesheets. Kathy Kennett insisted the chair is not allowed to make a motion.
- Teresa moved to accept the warrants and timesheets. Howard seconded. All in favor; the motion passed.

15. Executive session to discuss Town staffing/positions and Viridis Professional
- Howard moved to enter executive session to discuss personnel matters. Teresa seconded. All in favor; the board entered executive session at 6:42 p.m.

- Teresa moved to exit executive session. Howard seconded. All in favor; the board returned to open session at 6:57 p.m.

- The Town lost internet connection and could not reconnect to Zoom.
- Teresa moved to continue the search for an assistant town clerk, Howard seconded. All in favor; the motion passed.
- Teresa moved to engage the services of a fund accounting specialist. Howard seconded. All in favor; the motion passed.
- Teresa moved to accept the Viridis escrow agreement. Howard seconded. All in favor; the motion passed.
- Kathy Kennett was given a copy of the escrow agreement.

16. Howard moved to adjourn. Teresa seconded. All in favor; the meeting was adjourned at 6:59 p.m.

Respectfully submitted,
Maggie McCormick
Town Clerk & Treasurer