

1 **CHARLOTTE SELECTBOARD MEETING**
2 **Monday, August 26, 2024**
3 **Charlotte Town Hall 159 Ferry Road and via teleconference**
4 **DRAFT**

5 *Draft minutes are subject to correction by the Charlotte Selectboard.*
6

7 **SELECTBOARD MEMBERS:** *In person:* James Faulkner, Chair; Frank Tenney, Vice Chair;
8 Lewis Mudge, (remote & in person); Natalie Kanner; Kelly Devine
9

10 **ADMINISTRATION:** Nathaniel Bareham Town Administrator
11

12 **OTHERS:**

13 **In person:** Jamic Valyon Shane Wright, Debbie Pinney, Jo Pinney, G.A. Bouchard, Moe
14 Harvey, Rachel Daley, Michael Gaines, Jennifer Dickerman, Michelle Lussier, Charles Russell,
15 Dave Marshal, David Miskel, Nick Power, Dave Nichols, Dianne Nichols, Stephen Rose, Peter
16 Demick, Chris Hunt, Mary Mead
17

18 **Remote:** Carrie Spear, Chea Waters Evans, Hugh Lewis Jr., Nancy Faulkner, Paul Plante, Peter
19 Joslin, Brawnie Edson
20

21 **AGENDA ITEMS:**

- 22 5:00 PM Site Visit(s):
23 1. 5:00 PM – Access Permit at 88 Museum Road
24 2. 5:20 PM – Access Permit at 4425 Ethan Allen Hwy.
25 3. 5:40 PM – Access Permit at 1370 Spear Street
26 6:30 PM Adjustments to the Agenda
27 6:31 PM Approve Warrants to Pay Bills
28 6:35 PM Selectboard and Town Administrator Updates
29 6:40 PM Public Comment
30 6:45 PM Highway Access Permit(s)
31 1. HAP-24-04 (Stone)
32 2. HAP-24-05 (Wright)
33 3. HAP-24-06 (Dickermen)
34 7:15 PM Presentation, and possible action, on Federal Highway Administration Emergency
35 Relief Program funding for repairs to be made on Spear Street
36 7:35 PM Presentation, and possible action, on a preliminary engineering report for repairs
37 to be made on Spear Street
38 7:55 PM Discussion on amending a Housing Trust Fund Grant Agreement made between
39 the Town and David and Diane Nichols – Possible Executive Session per 1
40 V.S.A. § 313(a)(1)(A)
41 8:05 PM Discussion, and possible action on, a proposed Inclusivity Working Group for the
42 Town of Charlotte
43 8:15 PM Discussion, and possible action on, designating a voting delegate for VLCTs
44 Annual Meeting on October 1st, 2024
45

46 8:20 PM Evaluation of two Public Officers – Possible Executive Session(s) per 1 V.S.A. §
47 313(a)(3)
48 8:55 PM Approve Meeting Minutes for July 22, 2024; July 29, 2024; August 12, 2024.
49 9:00 PM Adjournment

50

51 **Call to Order**

52 James Faulkner called the meeting to order at 6:32 p.m.

53

54 **Site Visit(s):**

- 55 **1. 5:00 PM – Access Permit at 88 Museum Road**
- 56 **2. 5:20 PM – Access Permit at 4425 Ethan Allen Hwy.**
- 57 **3. 5:40 PM – Access Permit at 1370 Spear Street**

58

59 **Adjustments to the Agenda**

60 James Faulkner stated that he would like to add to the agenda, discussion on the welcome signs
61 to the town of Charlotte, to take place at 7:05 p.m.

62

63 **Approve Warrants to Pay Bills**

64 Warrants were signed.

65

66 **Selectboard and Town Administrator Updates**

67 Nathaniel Bareham stated that the town of Charlotte has received a Federal Declaration for
68 hurricane Pearl. This means the town has access to FEMA assistance funds to help offset the
69 costs to repair a town infrastructure. He will attend a meeting with project managers from
70 FEMA in the town of Hinesburg on Thursday, 08/29/24 and will give an update as soon as he
71 has further information.

72

73 Kelly Devine arrived at the meeting in person at 6:35 p.m.

74

75 **Public Comment**

76 Mary Mead stated that in regard to the discussion on the adoption of the Vermont Declaration of
77 Inclusion at the 08/12/24 Selectboard meeting, she feels that many were stating they were in
78 favor just because many other towns in VT have done so. The declaration speaks of education to
79 the residents of Charlotte to encourage kindness to all and this is something the town strives for
80 already. It's important that a better understanding of what the adoption of this declaration will
81 mean to the town financially. She went on to state that she believes that there is an underlying
82 obligation for the town to complete further development with the signing of the Vermont
83 Declaration of Inclusion. The Selectboard has suggested that this be a town vote to take place on
84 Town Meeting day in March. Mary Mead stated that it's important to note that this will be an in
85 person Town Meeting this coming year and when in person it's poorly attended so a floor vote
86 wont represent the town appropriately. A floor vote will represent those that are passionate
87 enough to come out and attend the meeting in order to get this declaration adopted not
88 necessarily the general consensus of all the town residents and this should be considered when
89 the Selectboard makes the decision as to how to get the voice of the Charlotte population on this
90 matter.

91 Rachel Daley, a resident of Charlotte, stated that she would hope that there would be no
92 discouragement of residents attending the Town Meeting in order to voice and vote on matters
93 that they're passionate about. Over her eight years of living in Charlotte she has seen lots of
94 proposals get dismissed. When the Selectboard declines to affirm the statement of inclusivity the
95 message that is communicated by this is that the town doesn't want to include people of color,
96 people of marginalized groups, people of non-predominant religions, people that are not
97 generally represented. She went on to state that outside of the Townhall, Charlotte is not
98 considered welcoming to all. The Clemmons family farm is an example of this with a decision
99 being made currently by the Selectboard on whether or not to include the farm in the town of
100 Charlotte despite it being a part of the town for almost seventy years. Individuals that are
101 LGBTQ and especially children who are trying to figure out how to fit into the Charlotte
102 community may feel like the message that accompanies this rejection of declaration at this time
103 is saying that the town needs to think about how they feel about this for another six months.
104 Rachel Daley went on to state that she believes this is hurtful to families hearing that the town
105 will get back to them on this issue in six months to express if they are welcome here in Charlotte.
106 There is an office of Racial Equity in Vermont that has lots of resources, Data Analysts and Data
107 Managers that can give the town information if people are concerned that the adoption of this
108 declaration could cause an increase in taxes. She went on to state that if there are towns that
109 have adopted this Vermont Declaration of Inclusion and have consequently seen raised taxes
110 from it then show us the data. It's important that the message that's being sent isn't stating that
111 the town is welcoming to all as long as it doesn't cost too much. The town has no data that
112 adopting this declaration is going to cost the community anything. She works on a DEI
113 Committee at her workplace and it costs nothing but time to the committee. If the town of
114 Charlotte ends up in the group of towns which makes up 23% of towns in VT that have not
115 adopted this declaration it will make a huge impact on the people that currently live here in
116 Charlotte.

117

118 **Highway Access Permit(s)**

119 James Faulkner stated that he and Hugh Lewis Jr. visited all three properties that have submitted
120 HAPs and are on the agenda this evening. All three properties looked fine.

121

122 **1. HAP-24-04 (Stone)**

123 James Faulkner stated that Martha Stone would like to add a garage across the road from her
124 home on Museum Drive. This is a dirt road with very little traffic and the site distances are
125 appropriate. A culvert will need to be added and the applicant is aware of this.

126 Debbie Pinney, the next door neighbor of Martha Stone, stated that she would like to know what
127 goes into the process of getting a HAP granted.

128

129 Frank Tenney arrived at the meeting in person at 6:48 p.m.

130

131 James Faulkner stated that the HAP only has jurisdiction of the first twenty feet. Beyond that,
132 what is built all goes to the Planning and Zoning Departments of the town. The HAP checks for
133 proper site distance and for the need of a culvert. The new driveway needs to drain onto the
134 property and not the road.

135 Jo Pinney stated that she would like to know who they would need to speak to if they wanted to
136 express concerns about building on this property.

137 Kelly Devine stated that they could speak to the Zoning Administrator to ask further questions
138 about the building plans. The HAP that is before the Selectboard is a limited application.

139 Frank Tenney stated that there is typically one access per lot but you can have more approved.

140 When a lot is separated by a highway like this it creates another lot in the laws of zoning and
141 therefore the property would be allowed to have another access.

142 Michael Gaines, a licensed land surveyor, stated that he is attending tonight on behalf of Martha
143 Stone. The draft in tonight's packet isn't his current draft and he provided the Selectboard with a
144 copy of the current draft. He did the survey for Martha Stone and the three lots are under one
145 parcel ID. The two other separate lots to the north on Museum Rd and between Museum Rd and
146 Church Hill Rd are Martha Stones and her Aunts who passed away recently. The survey is
147 recorded and on file for anyone that wants to see it as public information.

148 Kelly Devine stated that the updated draft has an 18ft wide access which is an increased from the
149 10ft wide access in the previous draft.

150 James Faulkner stated that that change is required.

151 Michael Gaines stated that Hugh Lewis Jr. is aware of this and has a copy of the current draft.

152

153 **MOTION by Kelly Devine, seconded by James Faulkner, to approve HAP-24-04, submitted**
154 **by applicant Martha J. Stone. VOTE: 5 ayes, 0 nays; Motion Carried.**

155

156 **2. HAP-24-05 (Wright)**

157 James Faulkner stated that he will not be commenting on this Highway Access Permit
158 Application since his property neighbors this property making it a conflict of interest. In
159 addition, he will abstain from voting. He went on to state that this application is for access to
160 two lots off from the old part of Higbee Road where it comes to a dead end. The applicant is
161 Shane Wright and he's present this evening.

162 Hugh Lewis Jr. stated that the location for the HAP is on the west end of Higbee Road and there
163 is plenty of site distance. A culvert will be needed and they will need to meet the B71 standards
164 but no issues were found at the site visit.

165

166 **MOTION by Kelly Devine, seconded by Natalie Kanner, to accept HAP-24-05 for the**
167 **applicant Shane K. Wright with a requirement for a 15" by 30' metal culvert and**
168 **compliance with the B71 road standards. VOTE: 4 ayes, 0 nays, 1 abstention (Faulkner);**
169 **Motion Carried.**

170

171 **3. HAP-24-06 (Dickermen)**

172 James Faulkner stated that this application is to eliminate the two existing curb cuts that are in
173 place currently and to create one curb cut to the south. The site distances on the two current curb
174 cuts is poor so removing them and adding one further south will make it much safer.

175 Hugh Lewis Jr. stated that they need a 15" by 30' culvert but the site distance is much improved
176 from the two existing curb cuts.

177

178 **MOTION by Kelly Devine, seconded by Natalie Kanner, to accept HAP-24-06 for the**
179 **applicants Jospheh and Jennifer Dickermen with notes from the Road Commissioner to**
180 **include a 15" by 30' metal culvert. VOTE: 5 ayes, 0 nays; Motion Carried.**

181

182 **Discussion of the welcome signs to the town of Charlotte**

183 James Faulkner reiterated that he had made an adjustment to the agenda at the start of the
184 meeting to include discussion of the welcome signs to the town. It's important that the town
185 residents that are voicing that the welcome signs look poorly, realize that the Selectboard knows
186 of this need and there is a plan in place. Three years ago, it was decided that the town needed to
187 replace the welcome signs to the town. The town now has a preferred contractor for this work.
188 He went on to state that initially two welcome signs were replaced, one at Greenbush Road
189 entering the town from the south and one on Rte. 7. There was a new sign installed at the Town
190 Hall and one at the Town Garage. This makes a total of 4 new signs in the last three years. With
191 last year's budget voted down the funds for this were removed but this year it was put in the
192 budget at a reduced amount and the plan is to put in two new signs. James Faulkner stated that
193 the initial plan was to install two new signs per year. There are 9 accesses to the town of
194 Charlotte. Some of the areas don't necessarily need signs since they're somewhat remote. There
195 is likely enough funds in the budget for three signs to be replaced this year in the Improvement
196 and Repair funds. He went on to state that the welcome signs chosen to be replaced this year
197 will be chosen based on necessity and by the Selectboard. A decision needs to be made on
198 whether or not these types of signs are needed at the remote accesses to the town or not.
199

200 **Presentation, and possible action, on Federal Highway Administration Emergency Relief**
201 **Program funding for repairs to be made on Spear Street**

202 Chris Hunt, from VTrans Municipal Assistance, stated that there are two options with federal aid
203 routes. There is emergency period repairs that happen right after a storm takes place in order to
204 get the road back open and are paid 100% by the Federal Highway Administration funds. The
205 other option for FHA funds is under permanent repair projects. He went on to state that in this
206 case the FHA covers 80% of the costs, the state covers 10% and the town covers 10%. The
207 permanent solution for the Spear Street wash out is a clear span bridge of 25' that would require
208 permitting, engineering, and the right of way. It would take about 3 years and would cost around
209 \$3,000,000, 10% being the responsibility of the town. Chris Hunt stated that what has been
210 proposed is to go in with the two 10' culverts with some sort of debris rack to prevent debris and
211 sedimentation from filling in the two culverts and the slope stabilization. This would be 100%
212 federally funded but it would need to be completed by November which is the end of the
213 construction season. Engineering costs are not typically covered for this 100% coverage but the
214 FHA is on board with covering some engineering costs for this site because the more expensive
215 longer route wouldn't be taken with this course of action. He went on to state that the
216 Selectboard should be cautioned regarding time urging them to be sure to streamline this repair
217 process in order to finish it by the end of the construction season because if anything isn't
218 completed during this emergency period it will be the town's financial responsibility to cover it.
219 The emergency period ends on April 7, 2025, but the construction season ends in November in
220 Vermont making this window of 100% coverage short. Another benefit in this emergency period
221 is that the procurement standards are relaxed and town standards are all that would need to be
222 followed. It work will still need to go out to bid but the standards are relaxed.
223 James Faulkner stated that the clear span bridge with no culverts for a period of three years
224 would be very difficult for the town. The town went ahead and got the culverts for the double
225 culverts plan but the issue with this plan is that the lifespan will be 50-75 years and the clear
226 span bridge would have a 100 year life span. Another issue with the culverts is that they can be
227 taken out by debris build up so the plan is to put a debris collector in place.

228 Kelly Devine stated that it's important to note that the clear span bridge will cost the town
229 \$300,000 with the 10% coverage by the town of the \$3,000,000 total.

230 James Faulkner stated that that's correct but there may be some funding that will help fill that
231 gap. This isn't quite clear yet. The decision that needs to be made is does the town want to go
232 ahead with the culvert repair that would be done by November or go with the clear span bridge
233 that will take 3 years to complete. He went on to state that the cost is a little more for the clear
234 span bridge but the culverts don't have the life span that the clear span bridge has.

235 Chris Hunt stated that the town is increasing the capacity with the double culverts but double
236 culverts is also an added risk of loss. Regular maintenance to the culverts or the clear span
237 bridge would be the town's financial responsibility.

238

239 **Presentation, and possible action, on a preliminary engineering report for repairs to be**
240 **made on Spear Street**

241 The Civil Engineering Associates Cost Analysis Report is included in tonight's meeting packet.
242 Dave Marshall from Civil Engineering Associates stated that a study was prepared that sought to
243 identify a cost comparison for the scope of work for both original construction as well as
244 maintenance for a twin culvert and for a clear span bridge. The construction of the twin culvert
245 includes an additional structure of a debris collector and maintenance as far as removal of the
246 debris that a clear span bridge wouldn't have. A clear span bridge would need a certain level of
247 maintenance as well to protect its integrity over its design life. He went on to state that both
248 options are comprised of a lot of concrete so ensuring winter weather and the freeze cycles don't
249 negatively impact the structural integrity of those components will be necessary and will need to
250 include proactive maintenance. With culverts being metal they have a tendency to rust but there
251 are measures and techniques that the project could invest in to help prolong their lifespan.

252

253 Lewis Mudge arrived at the meeting in person at 7:22 p.m.

254

255 Kelly Devine stated that the CEA Cost Analysis Report is great and very helpful. Looking at
256 page 8 it states the cost estimate for a clear span bridge is \$810,000 and Chris Hunt had stated
257 that it would be \$3,000,000.

258 Dave Marshall stated that this is a very short span bridge and it's priced out with the cost of a
259 voided slab super structure. It's the same concrete whether it be head walls for a culvert system
260 or whether it be abutments for a bridge system. Ultimately it's taking precast structures and
261 placing them on top. He went on to state that there are expensive guardrails on either side and
262 approach rails that are part of that component. CEA has used VTrans pricing to price out those
263 features to do a cost comparison. In all fairness to the VTrans folks that initially came out to the
264 site and gave the \$3,000,000 quote, they were looking at a much longer bridge at that time.

265 Kelly Devine stated that it is stated in the CEA Cost Analysis Report that the total life time cost
266 is \$1,280,000 for the twin culvert option and \$1,302,000 for the clear span bridge option making
267 a difference of \$22,000 over 50 years. She went on to state that she wonders if the life span of
268 the culvert has been reduced at all with the new threat of extreme weather events.

269 Dave Marshall stated that either option is effected equally by any future changes with extreme
270 weather events occurring more frequently. He went on to state that the process of putting in a
271 clear span bridge would be design, permitting and construction. In working with the extreme
272 alteration engineer they understand what needs to be done in regard to execution so permitting
273 will be smooth. The design is a straightforward structure so there is no concern there. He went

274 on to state that the construction is one thing that can't be controlled but a package can be created
275 that is practical and will entice as many bridge contractors as possible and therefore as much
276 contractor competition as possible. Getting a contractor can be challenging due to the amount of
277 work that is out there. A package could be ready to go next spring but CEA would like that to
278 happen even sooner so that funding opportunities could be accessed. Dave Marshall stated that it
279 will be difficult to get the construction done for the bridge within the emergency period that
280 includes the 100% coverage by federal funds. It would be more attainable to complete the twin
281 culvert option versus the clear span bridge since the construction of the clear span bridge
282 requires a contractor that is more specialized. There are more contractors that are capable to do
283 the culvert work over the bridge work. Dave Marshall stated that in order to get the bridge
284 option done and fully funded a lot of work would need to get done during the winter months in
285 order to meet the April 7th deadline to qualify.

286 Chris Hunt stated that the bridge option is near impossible in terms of the work that would need
287 to occur. Placement of a large precast structure would need to be placed in the next 90 days.
288 The estimated \$3,000,000 for the bridge that he stated earlier this evening included installing the
289 temporary bridge, temporary signals through the whole period, slope stabilization, engineering
290 permitting, right away negotiations and if you have to buy an easement.

291 Dave Marshall stated that the numbers that CEA included don't include any of those things. The
292 culvert option still needs approval by the Agency of Natural Resources. The report by CEA was
293 required by ANR and once this is approved by the Selectboard it will be sent to them for
294 approval. This approval isn't needed with the bridge option. He went on to state that the full
295 lifetime costs of the culvert option and the bridge option are essentially equal. In the future when
296 the culvert needs repair or replacement it could be done in place by creating a new concrete pipe
297 inside of the existing structure.

298 Kelly Devine stated that she has some definite concerns with the twin culvert option due to the
299 fact that we are seeing more and more extreme weather incidences and this area of road is
300 vulnerable to extreme weather incidences with its elevation and the structure of the roadway. If
301 it's only \$22,000 more to go with the bridge option maybe this should be the chosen course of
302 action.

303 Chris Hunt stated that the cost of the temporary bridge would be 100% reimbursed because it
304 would still be in the emergency period. Following the emergency period that ends April 7, 2025,
305 the town would be responsible for 10% of costs.

306 Discussion was had regarding the annual maintenance of both options which revealed that
307 they're very similar expenses.

308 Chris Hunt stated that VTrans doesn't have a temporary bridge to loan to the town of Charlotte
309 but the FHA is willing to buy a temporary bridge to put in place if the town decides to go with
310 the clear span bridge option. It would be roughly \$80,000 to launch the temporary bridge but
311 that is 100% reimbursed due to it being within the emergency period. He went on to state that if
312 it takes two and half years to complete the bridge option the larger bills will come at the end of
313 the project when the construction happens so the town will have time to figure out how to do the
314 funding. The initial expenses before construction will be around \$120,000. Chris Hunt stated
315 that the bills as they come up would be paid by the town and then reimbursed throughout the
316 project.

317 Peter Joslin stated that the Selectboard should consider the impact to the businesses south of this
318 area on Spear Street.

319 Natalie Kanner inquired about the difference between the two options in regard to environmental
320 impact.

321 Chris Hunt stated that there is a significant difference for aquatic organism passage with an open
322 bottomed structure such as the clear span bridge option.

323 Dave Marshall stated that the state's stream policy shows that they would like to have the
324 structure represent the stream going through without any significant changes. A clear span
325 structure achieves that goal.

326 Kelly Devine stated that she wonders if the temporary one lane bridge would help the impact on
327 the businesses. It's a busy area in the morning but not throughout the day.

328 Hugh Lewis Jr. stated that with either scenario the slough needs to be dealt with. If the one lane
329 bridge is put in place it could likely be stretched out past that area so it wouldn't have to be dealt
330 with immediately but it is going to need to be taken care of eventually.

331 Dave Marshall stated that there is a decision making process that the state River Engineer needs
332 to complete regarding the approval of the twin culvert option and this is why the CEA did the
333 cost study analysis. There may be a decision from the state that the bridge is the only option. He
334 went on to state that Hugh Lewis Jr. is correct that the slough needs to be taken care of and that
335 is a whole other project that is similar in size as it relates to expense. It requires sensitive design
336 to make sure it doesn't happen again. With this project there is geotechnical work that does take
337 time and there is no control of this timeline because those particular resources are not readily
338 available.

339 Discussion was had about the time frame on the answer from the state River Engineer regarding
340 the approval or denial of the twin culvert option.

341 Dave Marshall stated that the study needs to be adopted by the Selectboard and then it can be
342 submitted to the state.

343 Kelly Devine stated her sense of the state's stance is that they are in favor of bridges. Bridges
344 are a permanent solution and they prevent the expenses from coming about repeatedly.

345 Chris Hunt stated that the slope stabilization was also cleared with the FHA and would be
346 covered 100% if done in the emergency period.

347 Hugh Lewis Jr. stated that if the town would put in the temporary bridge he feels going with the
348 bridge option is the way to go because it's the best financial option.

349 Peter Joslin stated that even if there is a temporary bridge people are likely to avoid that route.

350 Dave Marshall stated the biggest challenge is with getting a Geotechnical Engineer to complete
351 the investigation by getting a soil profile so we can fully understand the characteristics of the soil
352 there in order to go ahead with a plan to repair the land slide.

353 Chris stated VTrans' Geotech Engineers have been on site and have done a visual examination
354 but we need borings and more in depth survey to know what the best course of action is for that
355 slope. The basic plan would be big stones at the bottom and light stones at the top and you
356 stabilize it but visual observation isn't enough. He went on to state that VTrans needs to know
357 one way or the other so that a temporary bridge can be ordered.

358 Dave Marshall stated that the culvert option needs to be approved by the State River Engineer
359 before that option can proceed.

360 Chris Hunt stated that with his experience in this line of work it is his opinion ANR will approve
361 the twin culvert option.

362 James Faulkner stated that while the town is waiting on the answer in regard to permission to
363 proceed with the twin culverts option, work will continue to be done on the planning for the
364 slough problem. No matter what option is chosen culverts or the bridge that needs to get done.

365 Chris Hunt stated that he doesn't know the timeline for the delivery of an ordered temporary
366 bridge. Once it's here installment is pretty quick, roughly a few days is all with a contractor to
367 install some blocks.

368 Carrie Spear stated that she has concerns with the bridge option taking up to 3 years. There was
369 a large number of automobilists that used Spear Street to get to the hospital from the southern
370 end of Vermont. The impact on emergency vehicles and fire and rescue should also be
371 considered with a 3 year project. She went on to state that the businesses on Spear Street are
372 being affected by this road closure and will continue to be affected until the repair is completed.
373 This discussion is appreciated.

374 Rachel Daley received confirmation from Chris Hunt that the one lane temporary bridge would
375 accommodate all emergency vehicles and larger truck traffic will be rerouted up to Mt Philo.
376 She went on to state that there's an environmental concern that's not being factored in. It seems
377 that what's being said is that the culvert option is a cheap fast fix and the bridge is a long term
378 permanent fix for the same amount of money. Climate crisis and flooding is going to continue
379 that's a fact.

380 James Faulkner stated that it should be made clear that the Selectboard isn't looking for the
381 cheap route. All options and factors are being weighed out.

382 Discussion was had regarding the difference between the maintenance needed for the culverts
383 option annually and the maintenance needed for the bridge option annually.

384 Kelly Devine stated that the \$300,000 that Chris Hunt estimated for the cost share of the town for
385 the bridge would include the temporary bridge only the temporary bridge is 100% covered with
386 it being purchased and installed during the emergency period. Lewis Mudge concurred.

387 Peter Joslin stated that his understanding is the culvert washed away due to beaver dams
388 upstream that clogged the culvert and therefore washed the road out which would also be an
389 issue with a bridge.

390 Kelly Devine stated that what is being heard is that any debris is a lot less of an issue with a
391 bridge compared to the culverts option.

392 Dave Marshall stated that the debris catcher is to protect the culverts from that type of debris
393 accumulation. Consistently making sure that the debris catcher is maintained and cleared
394 regularly is a large part of the maintenance costs for this particular option.

395 Frank Tenney stated that the proposed designs for the twin culverts have improvements from the
396 past culvert that was washed away.

397 Dave Marshall stated that the twin culvert design has concrete head walls on both sides that is
398 used to protect the granular materials that are placed around the culverts and underneath the
399 roadway. This design is definitely superior to what was out there prior.

400 Paul Plant stated that the exact same thing happened back in 1973 when the culvert was taken
401 out by beaver dam debris that clogged it and pushed it out into the field.

402 Dave Marshall stated that CEA already contacted Geotechnical Engineer at the end of last week
403 to get them on board to facilitate their involvement in the analysis in what's happening there.
404 It's a minimum of 4 weeks out before the first test boring crew can be on site to tell us what is
405 actually out there. Soil performance is very site specific. He went on to state that when you
406 have differing soiling materials it reacts in different ways. The only way to predict how it's
407 going to act in the future is to understand what those materials are. It gives an understanding of
408 where the weak points are in that massive soil. When dealing with lake deposits sometimes you
409 have a layer of sand enough to lubricate the silty clays and all of a sudden it lets it slide.

410 Chris Hunt stated that the town could certainly begin speaking with contractors that the scope of
411 the repair includes both installation of two culverts and the slope stabilization.

412 Nathaniel Bareham stated that Chris Hunt needs to know if he should order the temporary bridge
413 and Dave Marshall is looking to get the cost assessment off to ANR so that a decision can be
414 made.

415 Discussion was had regarding the process if the option of a bridge was chosen and what would
416 be done with the already purchased culverts. Dave Marshall and Chris Hunt concurred that there
417 is a market out there and many towns in VT are in need of culverts so there would be full
418 reimbursement of that money spent.

419 Chris Hunt stated that the VTrans' Geotech Engineer did state that the slough is stable enough
420 for one lane. It's important to note that FEMA wouldn't pay for a double culvert design they
421 would only pay to put back in the single culvert but FHA is open to betterments and would cover
422 100% if done in the emergency period.

423 Lewis Mudge stated that he would like a bridge but he is strongly leaning toward the culvert
424 option in order to get the road opened back up in a timelier fashion.

425 Chea Waters Evans stated that she is in favor of the bridge option and she urged the Selectboard
426 to strongly think about the bridge as a long term solution since this isn't a onetime environmental
427 event. She went on to state that with a one lane bridge her hopes would be that people would use
428 the road again and word could be spread by mouth and by media that the stores are in need of
429 customer loyalty to prevent financial hardships. Fundraisers could happen etc.

430 Natalie Kanner stated that this new culvert option has design advances that the other culvert
431 didn't have. This wouldn't be a replacement of what was there but a fix with engineering design
432 betterment with the climate changes in mind.

433 Frank Tenney concurred.

434 Kelly Devine stated that she is clearly in the minority but she feels that the town should take
435 advantage of the fact that there is significant federal funding to make a road and environmental
436 improvement here that will last a lot longer and will be a lot less risky to the town. The
437 temporary bridge isn't ideal but it could be opened as a one lane road a lot sooner then if the
438 culvert option is chosen.

439 Hugh Lewis Jr. stated that the best option is the bridge but when the construction of the
440 permanent bridge begins the road will need to be closed again at that time.

441 Chris Hunt concurred that the road would need to be closed for roughly 2 months in 2027.

442 Brawnie Edson stated that he is in favor of the culvert option.

443 Chris Hunt stated his understanding is that if ANR approves the culverts that is the direction the
444 town is going to go with by general consensus of the Selectboard to do so.

445 James Faulkner concurred.

446

447 **MOTION by Lewis Mudge, seconded by Frank Tenny, to accept the August 23, 2024,**
448 **report submitted by Civil Engineering Associates Inc. and request that this preliminary**
449 **draft be sent on to the Agency of Natural Resources. VOTE: 4 ayes, 1 nay (Devine);**
450 **Motion Carried.**

451

452 **Discussion on amending a Housing Trust Fund Grant Agreement made between the Town**
453 **and David and Diane Nichols – Possible Executive Session per 1 V.S.A. § 313(a)(1)(A)**

454

455 **MOTION by Kelly Devine, seconded by Lewis Mudge, to move to find that these**
456 **discussions of a contractual agreement made with David and Diane Nichols, to which the**
457 **public body is a party, would place the public body at a substantial disadvantage. VOTE:**
458 **5 ayes, 0 nays; Motion Carried**

459
460 **MOTION by Kelly Devine, seconded by Frank Tenney , move to enter into executive**
461 **session pursuant to 1 V.S.A. § 313(a)(1)(A) for the discussion of a contract with David and**
462 **Diane Nichols, to which the public body is a party. With an invitation to David and Diane**
463 **Nichols, David Miskel, Nick Powden and Town Administrator, Nathaniel Bareham into**
464 **this session. VOTE: 5 ayes, 0 nays; Motion Carried.**

465
466 **MOTION by Kelly Devine, seconded by Lewis Mudge, to come out of executive session.**
467 **VOTE: 5 ayes, 0 nays; Motion Carried.**

468
469 Natalie Kanner stated that during the executive session discussion was had to clarify the contract
470 with the town for an affordable housing rental to establish the contract as two separate rentals
471 that are considered separately for affordable housing threshold of 80% of the mean income in
472 Burlington as defined by the FY24 multifamily tax subsidy project income limit summary.

473
474 **MOTION by Kelly Devine, seconded by Natalie Kanner, to authorize the Town**
475 **Administrator, Nathaniel Bareham to create modified language for the contract to reflect**
476 **the summary from the executive session and return that to the Selectboard for final review**
477 **on execution. VOTE: 5 ayes, 0 nays; Motion Carried.**

478
479 **Discussion, and possible action on, a proposed Inclusivity Working Group for the Town of**
480 **Charlotte**

481 James Faulkner stated that the Selectboard wants to know about the structure of the group vs the
482 content of the group. It would be advantageous for the finish date to be at the end of December
483 versus the end of January.

484 Natalie Kanner concurred with this change in finish date.

485 Kelly Devine stated that leaving the working group at 5 members is best. In her experience 7
486 was too many in a Working Group. Therefore, it should be 1 Selectboard member and 4
487 community members.

488 Natalie Kanner concurred with Kelly Devine's suggestion and stated that she wants to make the
489 meetings open to the public but voting members will be limited to 5 total. She went on to state
490 that the assigned Selectboard member and all 4 of the community members of the Inclusivity
491 Working Group will be selected by a majority vote of the Charlotte Selectboard. If the
492 Inclusivity Working Group doesn't come up with a suitable alternative or decide that no action is
493 needed then the group will recommend that the item goes to the ballot for a town vote on Town
494 Meeting day. This will be added to the written proposal.

495 Rachel Daley asked why the age range of the Inclusivity Working Group begins at 18 and not 14
496 to better represent student voices. She went on to ask why the Selectboard didn't vote on the
497 Vermont Declaration of Inclusion at the 08/12/24 meeting?

498 Kelly Devine stated that many opinions were voiced on both sides by citizens of the town and it
499 was decided that further information would be beneficial with Natalie Kanner volunteering to
500 form a working group to discuss and research on the topic. This was felt like a good next step.

501 Natalie Kanner stated that her hopes are that this Inclusivity Working Group is an opportunity
502 for further enriching conversation to be had. Language could be added to include a nonvoting
503 minor role but it's her hopes that students will show up as part of the community discussion.
504 Kelly Devine stated that the Selectboard will vote once volunteers step forward but no vote is
505 necessary this evening.

506

507 **Discussion, and possible action on, designating a voting delegate for VLCTs Annual**
508 **Meeting on October 1st, 2024**

509 Nathaniel Bareham stated that he will be attending but there needs to be a member of the
510 legislative body in attendance as well.

511 Kelly Devine stated that she would be willing to go.

512

513 **MOTION by Natalie Kanner, seconded by Lewis Mudge, to designate Kelly Devine as the**
514 **voting delegate for the VLCT, VLCT PACIF and VLCT VERB Annual Meeting on**
515 **October 1st, 2024. VOTE: 5 ayes, 0 nays; Motion Carried.**

516

517 **Evaluation of two Public Officers – Possible Executive Session(s) per 1 V.S.A. § 313(a)(3)**

518

519 **MOTION by James Faulkner, seconded by Lewis Mudge, to enter into executive session**
520 **pursuant to 1 V.S.A. § 313(a)(3) for the evaluation of a public officer, with an invitation to**
521 **Nathaniel Bareham, and Peter Demick into this session followed by Charles Russell.**

522 **VOTE: 5 ayes, 0 nays; Motion Carried.**

523

524 Natalie Kanner left the meeting following the executive session.

525

526 **MOTION by Lewis Mudge, seconded by Kelly Devine, to exit out of executive session.**

527 **VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.**

528

529 No action taken.

530

531 **Approve Meeting Minutes for July 22, 2024; July 29, 2024; August 12, 2024.**

532

533 **MOTION by Lewis Mudge, seconded by Kelly Devine, to approve Selectboard meeting**
534 **minutes for July 22, 2024. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.**

535

536 Lewis Mudge and Kelly Devine stated that they were both absent for the Selectboard Special
537 meeting on Monday, July 29, 2024, and due to Natalie Kanner's absence at this time there isn't a
538 quorum. Therefore, these minutes will be voted on at the next Selectboard meeting.

539

540 **MOTION by Lewis Mudge, seconded by Kelly Devine, to approve Selectboard meeting**
541 **minutes for August 12, 2024. VOTE: 4 ayes, 0 nays, 1 absent (Kanner); Motion Carried.**

542

543 **Adjournment**

544

545 **MOTION by James Faulkner, seconded by Lewis Mudge, to adjourn. VOTE: 4 ayes, 0**
546 **nays, 1 absent (Kanner); Motion Carried.**

547

548 The meeting was adjourned at 10:56 p.m.

549

550 Minutes respectfully submitted by Brooke Milo, Minute Taker.

551 Edits by Nathaniel Bareham.

DRAFT