

## Minutes of the Annual Town Meeting February 28, 2011

The legal voters of Ripton met at the Community House on Monday February 28, 2011 to act upon articles 1-5 of the 2011 Town Warning. Approximately 75 people attended.

Moderator Joyce Dicianna welcomed us, read an invocation, reviewed procedures including the use of Robert's Rules of Order, and called the meeting to order at 7:35.

Ripton resident and state representative, Willem Jewett, was given the floor. Representative Jewett spoke of change in the governor's office, the economy, and opportunities for tourism, energy, and healthcare. He cited town meeting week as the most important week for legislators because they hear from voters about issues, and then asked for questions. Mac Cox requested elaboration about healthcare and Rep. Jewett's statement in his *Town Meeting Legislative Update*, "I will not trade a failing private system of health care finance for a failing publicly funded system." Rep. Jewett explained that he will not support change to a public system unless the cost curve of medical care is contained. Currently healthcare costs average \$700 per Vermonter per month, and increase annually at 2-4 times the rate of inflation. He is not interested in a public system that does the same. Charles Billings asked if Dr. Hsiao's system cited in the *Legislative Update* depends on federal waivers. The answer is not known and waivers are not available until 2014. Ed Sullivan asked for a timeframe for the transition to a new healthcare system, and Rep. Jewett replied, the sooner the better, but the earliest is the 2014 target date.

**Article 1:** Will the Town vote the sum of **\$671,791.00** to pay General Fund and Road expenses for the ensuing year, and pay outstanding orders and obligations of the Town, with interest, the tax rate of the 2011 Grand List to be determined by the Selectboard, divided as follows:

Roads, including winter work	\$386,550.00
General Fund	\$285,241.00
Total	\$671,791.00

Motion: Lawrence Miller  
Second: Carol Ford

**Discussion:** Selectboard chair, Laurie Cox, explained that the budget is relatively level-funded if grants are excluded. In 2011 grants will be used for repairs to Bridge 16, the first bridge on Natural Turnpike; work on the Lincoln Road; and signs on the Lincoln Road because of a state change in sign requirements. Charles Billings asked what is to be done to Bridge 16. Selector and road commissioner, Ron Wimett, explained that the work has been anticipated for several years and is based on a study by Phelps Engineering. Concrete posts will be removed and weathered w-beam guardrail installed, beams will be scraped and painted, and abutment work done. The beams are in good shape, and the work will be similar to that done to the Sand Hill Bridge in East Middlebury. Ms. Cox noted the completion of the Goshen Road bridge project, not done at the town's expense. This led to a discussion of USFS projects.

Nola Kevra asked about USFS projects on Natural Turnpike and expressed concern about heavy truck traffic and damage to roads, and whether or not the USFS helps pay to repair and maintain our roads. Ron Wimett, Laurie Cox, and Tim Hanson spoke about USFS funded projects on town and USFS roads in Ripton, including 2010 funding of projects on Brooks, Goshen, and Steammill Roads, and payments in lieu of taxes. Charles Billings asked if the USFS has given the town privileges to remove gravel from its new pit. Mr. Wimett explained that the pit is still in the planning stage, but the town is likely to get an amount of gravel per year. The advantage of nearby access to gravel in case of flooding was mentioned by Ms. Cox.

David Disque asked for summary of costs and amount owed for the 2008 floods. Laurie Cox spoke of the bond approved two years ago, and Ron Wimett directed people to its breakdown on page 12 of town report. Ms. Cox estimated the total cost to the town at about \$275,000; Mr. Wimett added that FEMA paid about 80% of the repair

cost of the first flood, and 65-75% of the second. Mr. Disque summarized that \$275,000 is 20-25% of the total cost.

Mike Hussey asked for a clarification of an \$80,000 variance in the cost of the 2010 river stabilization project. Ms. Cox explained that some reimbursement was received in January 2011 so is not included, and that a bit more money is anticipated for planting.

Ms. Cox summarized other budget and upcoming items including: a new furnace in the community house and potential need for one at the town office, roof repair at the back of the town office, and repairs to its upstairs back room, a new vault door, painting of the community house in 2010 and town office in 2009, and reappraisal expenses in 2010-2011. The work and related budget increase of the new delinquent tax collector, Kathleen Sullivan, was described. An increase in the assistant town clerk budget for hours to help with computerization of records and cross-training was explained.

Charles Martin asked why the school generator expense is in the town budget, and it was answered that the school is a town emergency shelter.

Tim Hanson called the question.

**Article 1 passed by voice vote.**

**Article 2:** Will the Town vote the sum of **\$31,100.00** to Ripton Fire and Rescue to help pay the Fire Department and First Response expenses for the year?

Motion: Lawrence Miller

Second: Barry King

**Discussion:** Chief Erik Eriksen described a few topics from 2010: several road closings that necessitated emergency coverage provided by other towns and by equipping property owners, the Fire Cadet Academy attended by Gwynneth Alexander and offered again in July 2011, and the purchase of a new rescue vehicle from Brandon noting appreciation of the new truck's lettering by Mountain Signs of Ripton. Joyce Henderson asked why the town voted \$23,000 for the department last year but is asked to approve \$31,000 this year. It was answered that in 2010 there was a \$7,000+ carryover from 2009 that reduced the request to the town, otherwise the budgets are nearly identical. Bonnie DeGray asked if there is long-range planning for or concern about emergency response time when the Sand Hill Bridge is replaced. Chief Eriksen hoped that the bridge will be shut down and fixed quickly. Andrea Chesman asked if he was saying that if the bridge was shut for a year there would be no negative effect on emergency response. The answer was yes; that Lower Plains Road would serve as a detour, that there are always things that may affect response time and we cannot plan for everything.

Joyce Henderson called the question.

**Article 2 passed by voice vote.**

**Article 3:** Will the Town have current property taxes collected by the Treasurer with a tax due date of Thursday, November 3, 2011?

Motion: Erik Eriksen

Second: Rick Klein

No discussion

**Article 3 passed by voice vote.**

**Article 4:** Will the Town vote to add two additional selectboard members to bring the selectboard to five members with the two new members to serve terms of two years with one initial term to be one year so that the two year terms will be staggered?

Motion: Charles Billings

Second: Tim Hanson

**Discussion:** Robert Wagner asked for clarification about the division of terms. Laurie Cox explained that the selectboard did not initiate the article and looked to the floor for an answer. (The discussion diverted from the topic at this point and Mr. Wagner's question was addressed later in the meeting when raised again by Mike Hussey; for clarification, the response is provided here. The new positions would be two-year term positions, with the initial term of one new position to be one year and thereafter two years causing these new terms to be staggered. This means that with a five-member board, every year at town meeting two positions would come up for election – one two-year term position and one three-year term position. This is exactly as happens with the school board.)

Andrea Chesman said that although she didn't initiate the petition, she would speak to the article. She said that she felt the main idea is that the workload is shared by more people. She further remarked that it seems to be very difficult to run against selectboard incumbents who are doing a good job, and that it results in a culture where we don't challenge our selectboard members and therefore don't get "new blood". She noted a similar thing happens with the school board where board members run for office though perhaps not intending to carry out their term, they resign soon after election and a new member is appointed; the result being a loss of democracy and openness. Ms. Chesman mused that the only explanation could be that we are all neighbors and don't like to go head to head in a public way, but that it's ultimately not healthy for the town to have the same people serve over and over again, and that anytime an opening comes up, it seems to be filled by appointment. Bill Ford and Dick Collitt spoke to the fact that the resignation of Mr. Ford a couple of years ago followed by the appointment of Mr. Collitt was not planned – Ms. Chesman said she understood that, further commenting that it was the first turnover in the board in 25 years. She concluded that for as long as she can remember there have been very few open elections in the school board and she would like to see us all have more courage to run for positions and it be more open. Lauren Slayton stated that her understanding of the petition when she signed it was that having five people instead of three gives us broader representation which answers to Andrea's comment regarding greater democracy. She also said that sometimes there's a conflict of interest as when Ron has to abstain because he works for the town and that then there are only two voters remaining; if there are more people and if one is too involved with a vote, there are more voters left to vote.

Barry King noted that the Weybridge selectboard is a five-member board and has not had an opposed election for many years. She also said that it is her experience as someone who often solicits volunteers that many people in town are willing to help, but she wonders whether many would step up to take charge though hoped that they would. Melvin Coddling commented that he has worked for a few towns in the county and finds that he has better luck working for three-member boards than for five-member boards. Erik Eriksen said that it made no sense to him to have a larger board in Ripton, that three seem to be doing a fine job.

Charles Billings commented that he would hope the selectboard would feel a great relief to have the addition of two members to help them out, that it would be seen as a benefit; he wished to know their feelings about the situation. Ms. Cox said that she's thought about it a lot and can see where that could be the case, that it would be of help. She further said that one advantage to a three-person board is that they have almost always, with very few exceptions, come to consensus and that's because with only three people, you have to; the last thing you want when there's only three of you is a split board. She reiterated that they are three different people with different points of view and so don't come at everything identically, but have to work to make consensus happen. Ms. Cox contacted VLCT for data regarding this issue, and received a list of towns of similar size and situation; some of those have five-member boards though most do not. She stated that personally, she feels that the three-member board has been working, acknowledging that she and Ron have been on for a long time. She related that when she first took office - at the same time as two other members and the town clerk, Tim Hanson, who served as the clerk

of the selectboard at that time - they had joked that they would all serve 25 years and leave simultaneously; they later realized this would not be a favor to the town. Ms. Cox further noted that things are vastly more complicated now than they were 25 years ago. She noted that the board recently managed to move Bill Ford on and imagines that the board could manage to see more changes in the not-so-distant future. Mr. Billings asked if that then spoke in favor of having five people on the board, because it would be a disaster if two members left at the same time; that a five-member board would provide more continuity as members move on. Ron Wimett asked Mr. Billings, in his role as a town historian, whether Ripton had ever had a five-member selectboard and the response was, no. Mr. Wimett then said "if it ain't broke, why try to fix it?" Mr. Billings agreed that it has worked pretty well because people have sacrificed to stay on.

Bill Ford, former selectboard chair, said he would like to address the issue raised earlier regarding the potential conflict of interest regarding Ron Wimett as board member who is also appointed road commissioner and his company, Maiden Lane Contractors, is hired by the selectboard to maintain town roads. Mr. Ford said that in the early years when he was on the board with Laurie and Ron, the perception of a conflict was of concern to them. He noted that every few years the board would analyze town reports from towns of similar size and road mileage and it was found that our cost per mile of road was equal to or less than cost per mile for similar towns. Mr. Ford concluded that he feels we are well served by Maiden Lane Contractors and tend to get value for our dollars.

Michael Seligmann said that it feels important to him to be better educated about the positives and the negatives rather than having anecdotal ideas and thoughts expressed. He suggested it would be helpful to find out from other towns that have made the shift from three to five members to see what their experience was. He further commented that one positive is that we wouldn't have to lose the people we have, but could still increase that sense of diversity. Ms. Cox said that she had hoped to get information from VLCT regarding other towns' experiences, but they didn't have it; and she hadn't called other selectboard members in other towns. Mr. Seligmann clarified that he was suggesting that we as citizens should be trying to get this information. Dick Collitt stated that he's lived in town for over 35 years and has taken interest in town government and how the selectboard works, and thinks the three-member board has managed the town extremely well; he feels that the current board is perfectly adequate and capable of doing the town's work and doesn't see any reason to have five people on the board.

Mac Cox suggested that instead of increasing board membership, that if what we want is better representation, we could set term limits where a person could serve, say, four terms consecutively and then lay out for two terms before running again. He noted that this would allow other people to run without complicating the decision making process, further commenting that more people in the process don't necessarily result in better decisions. Bill McKibben stated that democracy is a great virtue, but efficiency also, and given that things seem to be running well, offered that the most prudent and conservative option is to keep things as they are. He said that it's good to know that this alternative is available should the town ever want a change. Jerry Shedd asked if the number of board members is defined in a bylaw or charter that would need to be modified, or if we can do it with a vote, and commented that there are budgetary implications since there is a stipend involved. Peter Karpak, clerk to the selectboard, said he couldn't recall exactly but that he believed that the number could be changed by a vote and Ms. Cox agreed. Erik Eriksen said the current three-year terms serve as term limits but that nobody votes them out. Bill Pierce said that he had researched board member numbers when he was chair of the planning commission and recalled that the town has full flexibility on the change from three to five members.

Lawrence Miller asked how many people routinely show up to participate at selectboard meetings. Ms. Cox answered, not many unless they have a particular piece of business. Mr. Miller offered the observation that he'd been on boards where participants had to be drafted to fill out the numbers and it's not very effective to run a board that way. Charles Billings agreed that the three-member board has been effective because we have people on the board who are long-term residents, but that's not always the case today as people move quite often. He referred to Ms. Cox's previous comment about things being vastly more complicated today and suggested that it's a benefit that two new members could train alongside longer serving members.

The question was called by Chuck Martin, but voters wished for further discussion.

(Bill Ford asked about the term lengths at this time, but this question has been answered in these minutes at the beginning of this discussion. Mr. Ford, Tim Hanson, Joyce Dicianna, and Sally Hoyler contributed to the explanation.) Lauren Slayton asked if the article could be tabled, and Joyce Dicianna explained that procedure. Basically, it can be set aside but must be dealt with eventually; it is either set aside to a “date and time certain” or to a date and time to be determined later. Michael Seligmann asked if Mac Cox was proposing an amendment for term limits or just suggesting an idea to consider for the future. Mr. Cox answered that he was presenting it as an idea, that if a change to the selectboard is desired that it could be done with term limits and not by changing the number of members. He then asked if there were term limits in effect now stated in a town ordinance. Ms. Cox responded that there are term limits only in the sense that a board term lasts 3 years – there is no ordinance regarding term limits. Alison Joseph Dickinson noted that the specifics about how to do this are stated in Vermont statute (title 17 chapter 55) and this information is in an easy-to-find place – at the town office.

Mike Hussey noted that one of the initial concerns expressed earlier was that if Ron had to stand off from a decision because it was affecting something to do with roads, that would leave two people to make the decision and if it was a split decision, what is the current procedure to resolve this. Bill Ford answered (speaking from his time on the board) that board members talk to each other and reach a conclusion that satisfies the interest of the town, not the interest of the individual board members. Tim Hanson agreed and recalled a particular decision that took the board a year to consider, but they finally reached consensus – further noting that if it had been an emergency, they would have made a decision quickly. He said he doesn’t know what it’s like now, but assumes it is similar. He added that if residents have concerns, they should come to a meeting and the board will listen adding that if people don’t want them [the selectboard] there, they should run against them. Charles Billings reiterated that it is not a matter of running against these people who have been doing a good job, but a matter of running with them to be part of the process; that it’s important to have people in training so they can step up when needed. Ms. Cox said that they wouldn’t be in training, that they would be on the board and would have to step up if someone had a medical emergency for instance. Mr. Billings asked how the board of Ms. Cox, Mr. Wimett and Mr. Ford - who became selectors at the same time - learned the job. Bill Ford said they relied on Tim Hanson, their clerk, who got them through their first year; that they all figured out how to run a municipality and survived.

The moderator called the question.

After a voice vote, the moderator declared it appeared the nays have it. Ed Sullivan responded that the nays were louder but it may not be the case that there were more. Warren King requested a paper ballot, but then moved for a show of hands, which was seconded by Chuck Martin.

**Article 4 was defeated by a show of hands.**

**Article 5:** Any other business proper to come before this meeting.

Chuck Martin referred to the capital budget fund on page 10 of the town report, and asked why there is no money in it. Selectors Laurie Cox and Ron Wimett responded that the fund was created, but they have not yet wanted to increase taxes to fund it.

Lisa Whitman, Ripton postmaster, wished to alert the town about post office closures. The postal service continues to try to close offices through various means, not solely by revenue, and though we fought this once, we may need to be proactive. She noted the importance of supporting our post office by doing our business there (purchasing stamps, mailing packages) rather than at other area post offices. A Wall Street Journal article about the topic will be available at the town office and on the town website at [www.riptonvt.org](http://www.riptonvt.org).

Mac Cox spoke in favor of a universal single payer health care system stating our money goes to retired executives and big corporations, the need to show support for Governor Shumlin’s efforts, and he had pamphlets available.

Sue Collitt noted the town report appreciation of Hilda Billings. Hilda Billings stood to say thank you, remarking that everyone has always being good to her in this town and that we have a good, social community.

Bryan Alexander invited people to the Ripton Broadband Cooperative meeting March 6<sup>th</sup> at 6:00 p.m. at the fire station.

Robert Wagner announced he is hosting a Middlebury Community Television program, Prosper Vermont, and welcomed those who wish to be heard to be guests.

The meeting adjourned at 9:03 p.m.

Motion: Chuck Martin  
Second: Richard Ruane

Joyce Dicianna,  
Moderator

Laureen Cox,  
Selectboard Chair

Ronald Wimett and Richard Collitt, Selectors

ajd/sh