

## TOWN OF RIPTON SELECTMENS MINUTES

<b>Date:</b>	<b>Meeting No.</b>	<b>Start:</b>	<b>End:</b>	<b>Next Meeting</b>	<b>Next Time</b>
04-25-05	2005-08	7:35	10:15	05-09-05	7:30p.m.
<b>Attendees:</b>	William Ford, Laureen Cox, Ronald Wimett, Selectmen, and Sally Hoyler, Town Clerk				
<b>Visitors:</b>	Karl Neuse, Attorney, Tom Yager and John Lones of A. Johnson Co., Ed Hanson, Zoning & Sewage Administrator				
<b>Minutes:</b>	Minutes for 04-11-05 were reviewed and signed. Minutes of 3-28-05 to be signed at next meeting.				
<b>Approval Actions:</b>	Approved the Junk Car Ordinance ( <u>Ordinance Regulating Outdoor Storage of Junk and Junk Vehicles</u> )				
<b>Orders:</b>	Orders for 04-25-05 were reviewed and signed. Total for Roads: \$5,343.74, and for General Fund: \$3,087.00.				
<b>Reports:</b>	Delinquent Tax Collector Report: As of 04/22/05, total 2003 delinquent taxes due, including interest and fees, are \$9,692.74. Total 2004 delinquent taxes due, including interest and fees, are \$16,502.04.				
<b>Road Commissioner Report:</b>	Culverts/Bridges:	None this period.			
	Gravel/Resurfacing:	None this period.			
	Ditching:	None this period.			
	Major Projects:	None this period.			

Item Number	Subject	Start Date	End Date	Action
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04-23 Roads-a	<b>Driveway on Pearl Lee Road</b>	12-13-04	Ongoing	SH
<p>Representatives from A. Johnson Co., John Lones and Tom Yager, and attorney Karl Neuse attended the meeting to discuss a road access permit issue with the Board.</p> <p>Brief history: A driveway was constructed on the property of A. Johnson Co. (AJC) on Pearl Lee Road in Ripton during December 2004. The Ripton Selectboard notified AJC that a road access permit is required before the construction or re-construction of any access to a Town road. AJC submitted an application, the Board reviewed it and approved it, on condition that specified corrections be made by June 1, 2005.</p> <p>The issue was discussed at length at this meeting and is summarized as follows:</p> <p style="padding-left: 40px;">The Selectboard's position: It is a legal requirement, by Town ordinance and Vermont statute, that a permit be obtained from the Selectboard before the construction or reconstruction of any access to a Town road. The construction of an access without a permit application eliminates the opportunity for the Town and landowner to discuss the specifics of the construction so that it meets with Town Road Standards. The Town has the responsibility to plan for the future and require specifications that will remain valid if a road is upgraded from Class 4 to Class 3, and the Town is responsible for the maintenance for the access once built. If a</p>				

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road access is built incorrectly, the Town has a responsibility to see that corrections are made.

A. Johnson Co.'s position: There has been a road cut at the site of the driveway since the 1980's; AJC was unaware that applying for a road access permit for changes at an existing access point was necessary. AJC showed that recent driveway construction on two similar sites in Ripton does not meet the Town's specifications for access construction, and suggested they are being held to a tougher standard. If the corrective work is done as specified by the Board in the permit, the relocated culvert will not work effectively and will cause problems, and more extensive ditching will be required to remedy this. AJC is concerned that excessive construction at the site may cause nearby landowners to complain, as happened during previous logging operations.

Conclusion: All parties expressed the desire to work out a solution. AJC noted that once they complete logging at this lot, the driveway may not be needed again for many years. With this in mind, the following was agreed upon between the Board and A. Johnson Co.:

The deadline of June 1, 2005 for completion of work will be extended to July 1, 2005 provided that A. Johnson Co. either perform the corrective work per the plan in the road access permit, or will remove the culvert and driveway, and re-establish the ditchline. If AJC decides that it would be advantageous to keep the driveway, the Board agrees to do some of the ditching to carry the water away from the downstream end of the culvert, and may construct a culvert under the road or water bar as necessary.

At the conclusion of this discussion, Mr. Yager, Mr. Lones, and Mr. Neuse left the meeting.

The Board went into executive session to discuss a land development issue presented by Ed Hanson, Zoning and Sewage Administrator.

### Ordinances

05-05-SewOrd	<b>New Sewage Ordinance</b>	03-14-05	Ongoing	SH&Bd
The signed draft of the ordinance has been submitted to the State for approval. No response has been received.				
04-19-Junk-a	<b>Junk Car Ordinance</b>	09-27-04	Ongoing	TH
The Board approved the final draft of the ordinance. The Clerk will research the steps to be taken to complete the adoption.				

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### Fire Station

04-07-Fire-a	<b>Fire Station</b>	04-12-04	Ongoing	TH & Bd
The basic building is near completion. The Board reviewed and approved bids for plumbing and electrical work.				

### Roads

05-06 FS54	<b>National Forest Service Road 54</b>	03-28-05	Ongoing	SH
The Clerk notified the Forest Service that the .15 section of road , formerly TH22, extending from FR54 is a legal trail. No response from the Forest Service has been received. The Board reviewed the Town's Trails Ordinance and agreed that to allow the use of motor vehicles on this .15 mile section of road, the status should be reclassified from legal trail to Class 4 road. The Clerk will research the process for reclassifying roads.				

05-05-Access	<b>Road Access Permit Process</b>	03-14-05	Ongoing	EH & Bd
A draft version of a revised access permit form has been produced. The application will be revised as well, and be ready for review at the next meeting.				

04-11-Roads-b	<b>Road Signs</b>	06-14-04	Ongoing	RW
Work continues to cut brush in front of road signs.				

05-01-Roads-a	<b>Mapping of Road Conditions</b>	04-12-04	Ongoing	TH/RW
The Clerk is preparing a project description for the development of a capital budget plan for the Town. A final draft will be available for the Board's review for next meeting.				
Tim Hanson continues to work on updating the mapping of road conditions.				

05-07-Roads-c	<b>Summer Roadwork</b>	04-11-05	Ongoing	RW&Bd
The Clerk reported on a meeting with Dick Hosking from VTrans attended by herself and Ron Wimett, Road Commissioner. Mr. Hosking restated that Ripton was granted funds for the 2005 Town Highway Class 2 Program. He said that the Town may choose how to allocate funds toward specific uses, such as ditching and paving. Mr. Hosking stated that although the Town was not granted funds for the 2005 Town Highway Structures Program, Ripton is second on the list to receive funds if excess funds are available.				
The parking lot project (new gravel surface) is underway, and should be completed by the end of the week.				

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The Board discussed the summer roadwork schedule and areas for major projects. The Class 2 Roads grant funds are planned for ditching to meet standards on a section of Lincoln Road north of Baker Bridge. Town funds for regular summer maintenance are planned for ditch-cleaning and right-of-way brush clearing on Robbins Cross Road. Other areas may be scheduled for work as funds allow.

### Zoning

04-19-Zone-a	<b>Gover Zoning Violation</b>	09-27-04	Ongoing	SH
<p>A copy of a letter from Ren Barlow, the Town's attorney, to the Govers' attorney was received. In the letter, Mr. Barlow states the Board's response to the outline of the settlement agreement: that the agreement include that part or all of the Town's attorney fees be paid by the Govers.</p>				

### Community House

05-05-EAID	<b>EAID Grant</b>	03-14-05	Ongoing	SH
<p>The Clerk reported on her meeting with the Historic District Commission about the grant project to upgrade for accessibility at the Community House. The Commission approved railing designs by John Baker, and stated preferences for lighting. Some details of the railing design, and costs of lighting fixtures need to be researched by the Clerk, and presented at the May Planning Commission meeting for final approval. The Board raised questions about the lighting design recommended by the Historic District Commission, which the Clerk will also present at the May meeting.</p>				

05-06 CH	<b>Community House Rentals</b>	03-28-05		SH
<p>A draft of a revised fee schedule was reviewed and amended. A new draft will be prepared for next meeting.</p> <p>The Clerk reported that MacIntyre's recent invoice stated that the Community House furnace was hooked up to an old (non-functional) air feed. After correcting the problem, they removed the old air feed. Upon researching the suggestion that the furnace could have been vandalized, the Clerk reported that 1) it would be impossible to vandalize the furnace from the outside of the building, 2) it's impossible to determine who could have incorrectly connected the air feed, and whether it was done by accident or on purpose, and 3) now that the non-functional air feed is removed, this particular problem cannot be repeated. The Board agreed that nothing can be done about this issue for now, except to continue to keep a list of keys issued.</p>				

### Miscellaneous

04-24-Ph-a	<b>Phone Booth</b>	12-27-04		SH
<p>A foreman from Verizon assessed site locations for the pay phone,</p>				

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determined that the installation of a pedestal was not feasible, and the decision was made to mount the phone on the side of the Town Office building. Installation is being scheduled.
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04-19-Em-a	<b>Emergency Preparedness</b>	09-27-04	Ongoing	SH
There has been no response from Vermont Emergency Management about their review of the Silver Tower's emergency plan.				
05-03-Open-a	<b>Open Positions</b>	02-14-05	Ongoing	SH&Bd
The position of Dog Warden remains open. The Clerk is finalizing a job description for the position.				
05-05-Town	<b>Town Meeting follow-up</b>	03-14-05	Ongoing	SH
The Clerk has obtained more information about the basis of payments to the Town by the Forest Service. This information will be mailed to interested parties, and a file about it maintained.				
The Board finalized decisions about where and how to mount the Orris Manning plaque, and the Clerk reported that Alex Carver has agreed to do the work.				

William Ford

Laureen Cox

Ronald Wimett