MINUTES OF THE ANNUAL TOWN MEETING
MARCH 2, 2009

The legal voters of the Town of Ripton are warned to meet at the Community House in Ripton on Monday, March 2, 2009 at 7:30 p.m. to act upon articles one through seven of the 2009 Town Warning. Approximately 70 people attended.

Moderator Joyce Dicianna read an invocation, reviewed procedures, and called the meeting to order at 7:33 p.m.

Article 1: Will the Town vote the sum of **$1,606,443.00** to pay General Fund and Road expenses for the ensuing year, and pay outstanding orders or obligations of the Town, with interest, the tax rate on the 2009 Grand List to be determined by the Selectboard, divided as follows:

Roads:	$199,918.00
General Fund:	$1,406,525.00
Total:	$1,606,443.00

Article 1 was moved by David Disque and seconded by Warren King.

Selectboard Chair, William Ford, explained that June and August 2008 flood reconstruction expenses distort the budget. With those removed the 2009 budget is less than the 2008. He then asked for questions.

Charles Billings asked Mr. Ford to speak to the difference between what the Town hopes to receive from FEMA and State reimbursement and the 1.4 million 2009 budget. Mr. Ford replied that both floods were declared emergency disasters by the President and made eligible for reimbursement funds: 75% through FEMA and 15% through the State. It was noted that the 15% threshold is in effect because we have approved Road Standards; without standards the reimbursement is 12%. Reimbursement is for work done to bring roads to a pre-flood condition, not for upgrades. For example, if a culvert is washed out but not devalued to less than 50%, FEMA pays for that culvert to be put back in place. When an engineering study shows the need for a larger culvert, FEMA will not pay for the larger culvert. Reference was made to a table on page 11 of the *2008 Town Report* that shows total flood damage costs, the reimbursement expected from FEMA, the State, and residents of private roads that were repaired, and the balance owed. The $336,000 balance owed is still being discussed with FEMA in hopes of settling the difference between what is approved by FEMA and what the Board believes should be approved. It is anticipated that the final figure may not be reached until mid-April. Selectboard members Ronald Wimett and Laurie Cox noted that the real difference between what is approved and what the Board believes should be approved is with the second flood, that 85% reimbursement is approved for the first flood. The Board anticipated some difference due to upgrades, such as the case of replacing an undersized culvert with a larger one. Mr. Ford further explained that the Board's intent is to use a portion of the $99,000 Major Project Fund to offset upgrade costs, but not to deplete that fund in case of future emergency need.

Richard (Dick) Collitt asked how we are doing collecting payment from private road residents. Mr. Ford responded that the payment is in different stages. June costs are clear and residents have paid, are paying, or are being sent a second letter stating that they must have a payment plan. For the August flood those affected have been sent letters stating the worst case scenario, and will be sent letters with the final cost. The expectation is that people will pay, and if they do not, a lien may be placed on the property.

Charles Billings spoke as a resident of a private road to thank the Board for helping to make the roads passable, and in particular for accommodating those who could not pay right away. Mr. Billings expects that those on Billings Farm Road and Old Town Road will make full reimbursement. Mr. Billings

expressed thanks to Representative Willem Jewett and Senator Sanders who were instrumental in getting the FEMA Category B funds that provide some relief for private property owners released. Mr. Ford also noted Willem's role. Coincidentally Mr. Jewett arrived at that time, entered the meeting to applause, and Ms. Dicianna repeated the words of thanks given him.

Richard Ruane asked if -- given the FEMA funds that may be forthcoming -- the $1.6 million in Article 1 is a firm amount or might be less. Mr. Ford responded that it may be lower, but to keep the 1.6 in mind. Ms. Cox noted that though the budget is greatly increased over the previous year much of the $1.6 million will come from FEMA and State reimbursement and not be raised by taxes. Mr. Ford explained that the Board borrowed money to pay for repairs that must be repaid with interest by April 1, 2009. The interest is not reimbursed by FEMA.

Andrea Chesman asked what would happen if the voters voted no on Article 1? The Board answered that the entire amount owed by the Town would be put onto the current year's property tax. They cited their obligation to repair roads, the difficulty of repaying this large an amount in one year, and that towns may not carry over debt from one year to the next. Mr. Ford noted the relationship of this question to Article 7 of tonight's meeting: discussion of borrowing to cover repairs and improvements relating to the 2008 floods. The Moderator pointed out that only Article 1 is up for discussion at this time, and that the question is to approve this amount or not, and does not address how it is paid.

Susan White asked for an explanation of the property tax item in the REVENUES table on page 22 of the *Town Report*: is the 2009 figure an error? Mr. Ford responded that this year the municipal and education tax amounts are separated. This change from the method used in 2008 and earlier is made because of the complications of the education tax. Lawrence Miller asked for the comparable 2008 number, which was not known but estimated at $300,000 by Ms. Cox.

Mike Hussey inquired about the increase in the National Forest payment. Ms. Cox and Mr. Ford answered that the program is now fully funded, and will be through 2012.

Timothy Hanson called the question. Joyce Henderson seconded.

Article 1 was adopted by unanimous voice vote.

Article 2: Will the Town vote the sum of $29,500 to Ripton Fire and Rescue to help pay Fire Department and First Response expenses for the year?

Article 2 was moved by Richard Ruane and seconded by Edmund (Ed) Sullivan.

Roland McGlashan, Assistant Chief, explained that Chief Erik Eriksen was unable to attend and spoke to the Department's activities, noted on page 26 of the *Town Report*. He highlighted the amount of training members do on their own that are not necessarily included in the annual report and the damage to members' vehicles during responses to flood this summer. On behalf of the Department, Mr. McGlashan thanked the town for its support and encouraged residents to volunteer.

Timothy Hanson called the question. Joyce Henderson seconded.

Article 2 was adopted by unanimous voice vote.

Article 3: Will the Town have current property taxes collected by the Treasurer, with a tax due date of Thursday, November 5, 2009?

Article 3 was moved by Barbara (Barry) King and seconded by Jane Phinney.

There was no discussion. The Moderator called the question.

Article 3 was adopted by unanimous voice vote.

Article 4: Will the Town vote to elect a town clerk for the term of three years as provided by 17 V.S.A. 2646 (2), said term to begin at Town Meeting, March 1, 2010?

Article 4 was moved by Richard Ruane and seconded by Ed Sullivan.

William Pierce asked what happens if this is voted no? Sally Hoyler responded that the term would stay at one year. Carol Ford asked the reason for changing from a one-year to a three-year term. Sally Hoyler answered that other major officer positions have three-year terms; that a three-year term recognizes the learning curve the job requires, and a little bit of time is saved at elections. Andrew McIntosh asked if the position had ever been a three-year term in Ripton. Tim Hanson replied that it was thirty or forty years ago, did not know when or why it changed, but thought the three-year term a good idea. Alice Clark asked if this would apply to other officer positions such as delinquent tax collector. Ms. Hoyler answered no, each office is treated independently, such as the office of treasurer for which a three-year term is proposed in the next Article.

The Moderator called the question.

Article 4 was adopted by unanimous voice vote.

Article 5: Will the Town vote to elect a treasurer for the term of three years as provided by 17 V.S.A. 2646 (3), said term to begin at Town Meeting, March 1, 2010?

Article 5 was moved by Carol Ford; Ed Sullivan seconded.

There was no discussion, and the Moderator called the question.

Article 5 was adopted by unanimous voice vote.

Article 6: Will the Town vote to increase the Veteran's Property Tax Exemption from $20,000 to $40,000?

Article 6 was moved by Barry King; seconded by Carol Ford.

Mr. Ford noted that the exemption is for disabled veterans. Alison Dickinson, one of the Town Listers, stated that the current exemption amount is $10,000 and the article should read from $10,000 to $40,000 rather than from $20,000. An amended article was proposed:

Will the Town vote to increase the disabled Veteran's Property Tax Exemption from $10,000 to $40,000?

The motion to amend Article 6 was moved by Barry King and seconded by Richard Ruane.

Dick Collitt asked how this exemption works, how many are eligible, and for its impact on everyone else? Alison Dickinson said there is currently one participating property owner; others may be eligible. Sally Buteau asked why such a large increase? Laurie Cox responded that a veterans' organization requested it, that the rate was $10,000 for a long time, and that many towns are moving in this direction. The $40,000 is the amount allowed by the Vermont Legislature. Charles Billings asked for the value of the exemption, and went on to calculate it at a 3% tax rate as $1,200. Jerome (Jerry) Shedd asked if the change in valuation applied to the education tax. Joyce Dicianna asked for a point of clarity, is this a property tax exemption? The answer to both, yes, was from Alison Dickinson. Mr. Billings asked, if voted how long is this effective? The answer was until someone petitions the Selectboard to change it.

The Moderator called the question.

Article 6, as amended, was adopted by unanimous voice vote.

Article 7: Any other business proper to come before this meeting including discussion of the Town Center and an informational meeting for the purpose of explaining the factors relating to the borrowing of a sum to cover highway repairs and replacement improvements as a result of the storms of June 14, 2008 and August 6, 2008.

Article 7 was moved by Ed Sullivan and seconded by Warren King.

The Moderator invited Representative Willem Jewett to speak. In telling how things are going in Montpelier, Mr. Jewett said this is not exactly what he signed up for; it is more fun when there is more money, but despite sober times there are things to be optimistic about. Mr. Jewett circulated his *Town Meeting Legislative Update* and spoke of the bipartisan resolve and accomplishment of the legislature. S-13, a 70-page public safety bill known as The Sex Offender Bill demonstrated a successful bipartisan effort on an important piece of legislation. The bipartisan effort continues with the budget. In many of the towns Mr. Jewett serves there are disputes of one kind or other but people are respectful of one another. How it is done in towns is how it is done in the legislature. The support of US Senator Sanders' office with staff member Ethan Ready in helping resolve our post office and flood problems was noted.

Mac Cox asked, is anything in the works for the Sand Hill Bridge in East Middlebury? Mr. Jewett responded that the bridge itself is solid, the problems being its alignment and sides. The fix made by removing the concrete rails and installing metal guardrail is an improvement. Though there are plans, nothing is happening in the near future.

With no further questions for Representative Jewett, William Ford began discussion of the proposed borrowing for repayment of a loan used for 2008 flood repair, directing people to Article 3 shown on *Town Report* page 49 and below.

> Shall the voters authorize the Selectboard to bond a sum not to exceed $400,000 for a ten-year term for the purpose of repayment of the balance of the expenses from road damage repairs as a result of the storms and floods of June 14, 2008 and August 6, 2008? This article is being separately warned pursuant to 24 VSA § 1756.

Mr. Ford explained that this Article is important for dealing with the cost of road damage and the balance of what the Town is responsible for related to the floods, and the Board appreciates that people vote on it.

The Board borrowed funds in the short-term to repair the roads, but may not borrow for more than one year without voter approval. In Article 3 the Board used the words "not to exceed" and will only borrow what is needed. The Article states "to bond" but this may also mean "to borrow." If the total needed is at or near $400,000 the Vermont Municipal Bond Bank is the most cost effective lender.

Dick Collitt asked for clarification of the terms, interest rate, and cost to the average taxpayer. Mr. Ford replied that applications to the Bond Bank are due in May, though specifics won't be known until bonds are sold in July, and the actual amount owed is resolved. For a $100,000 property Mr. Ford stated the cost to taxpayer at about $100 per year. During the first year of repayment the Town pays $9,000, the second year $50,000, and the amount decreases slightly each year through year ten.

Charles Billings asked if the Board would consider a longer repayment term to reduce the impact. Mr. Ford reported that the Board looked at 10-year and 20-year bonds and the interest for a 20-year bond is more than double the 10-year amount. Mr. Ford agreed that it is reasonable to try to ease the pain given the economy and noted that if Article 3 is voted down, all the money must be covered by 2009 taxes.

Joyce Dicianna asked for clarification that "bond" is the same as "borrow" and that though the Article says 10 years, the term could be for less than 10 years? Mr. Ford answered yes; the Board confirmed with an attorney that as long as the period is less than 10 years they can do that. Andy McIntosh asked if the Article means not to exceed 10 years and not to exceed $400,000 and was answered, yes, by Mr. Ford. Ms. Cox added that there is very specific language required for a bond which the Board was careful to use, and that our situation is unusual; it is more common for a bond to be issued for a project before the money is spent. Richard Ruane asked to clarify: if we vote yes on Article 3 we spread repayment over a long time, if we vote no we pay it all back in November? William Ford answered, yes.

Mr. Hussey asked a question related to Articles 4 and 5 and the Warning for Australian ballot voting: did the Warning need to be amended to change the term for Clerk and Treasurer from one to three years? The Moderator responded no, the change is effective in 2010.

Mr. Ford returned to the flood topic to thank Willem Jewett, the Fire Department, Sally Hoyler, and all involved in what was a great community effort. Barry King thanked the Selectboard for their extra time and effort in dealing with the aftermath.

The Moderator initiated discussion of the Town Center. William Ford described the extent of erosion in the village area and that concern for backyards evolved into concern for the downtown. Though tonight's meeting is not ~~adequate~~ the appropriate time for making a decision, it is hoped to get a straw vote as to whether we should protect the downtown by seeking grants for flood chutes, armoring with large rock, and the help of the Addison County Regional Planning Commission.

Warren King addressed the assembly to further explain the situation. He described it as difficult, with a lot of players and no clear understanding how to proceed. He and others have put together a plan believed to be in the town's best interest. The State River Management Program has committed $11,000 for an engineering study. This study will assess the likelihood of success of work upstream of the village to allow more floodplain access and slow the force of floodwater entering the village. A specific area for improved floodplain access is approximately 5 acres of land between the Bridge of Flowers and Old Town Road. Along with floodplain access, the hope is for armoring, conservation easements, and a flood erosion hazard (FEH) zone. Mr. King has begun talking with landowners about easements. The State will not provide funding unless a FEH zone is passed. There will be hearings prior to adopting the FEH zone, and Mr. King will meet with affected property owners in small groups to describe the zone and answer questions. Mr. King emphasized that armoring and channeling will buy time but are not long-term solutions for the problem of flooding and erosion.

Ms. Cox added that more detailed information will be available in future meetings. Mr. Collitt noted that though the State is holding a stick, it is also a carrot. Mr. King explained that State money won't be free, there is FEMA funding with it, but the Town will have to provide a match. Ed Sullivan asked about the timeframe for this. Mr. King responded that a proposal is due by March 31, engineers may be able to start in April-May with the money already committed by the State, and further funding probably known in June-July. William Biederman asked if the town match has to be money. Warren King thought so, noted the complexity of the situation, that information is still being learned, and limited time for discussion this evening. He proposed a public meeting in a month or so with River Management staff present to explain and explore concerns. Joyce Henderson asked if the Flood Erosion Hazard Zone would be voted before being adopted. Warren King explained that it would be warned and hearings held, but that it did not have to be voted. There is a mechanism whereby signatures can be submitted to put bylaw adoption to a vote.

Jane Phinney thanked those volunteers who maintain town gardens: Mia Allen for the Bridge of Flowers, Alison Joseph Dickinson for the town buildings/village area, and Nola Kevra for the Ripton School. Applause followed.

Warren King announced the Ripton Energy Alternatives Program (REAP) and that community volunteers are visiting homes to install energy saving devices provided by Efficiency Vermont.

In the spirit of appreciation, Lawrence Miller recognized Ron Wimett and his road crew, along with the Selectboard.

A movement to adjourn was made by Richard Ruane and seconded by Edmund Sullivan.

With a unanimous voice vote, Town Meeting of March 2, 2009 adjourned at 9:09 p.m.

Joyce Dicianna announced that the meeting would reconvene at 7:00 a.m. Tuesday, March 3, 2009 at the Town Offices to vote by Australian ballot on election of Town officers, certain allocations from the General Fund, and Articles 1-3 of the 2009 Town of Ripton Warning.

Joyce Dicianna, Town Moderator

Sally Hoyler, Town Clerk

Ripton Selectboard

William Ford, Chair

Laurie Cox

Ronald Wimett