

WEST WINDSOR SELECTBOARD
Draft Minutes
September 16, 2014 – September 19, 2014

Present: Glenn Seward, Tom Kenyon

- 1) Call to Order – At 8:00 AM on September 16th, Selectboard Chair Glenn Seward called the meeting to order.
- 2) Changes or Additions to the Agenda – None
- 3) Announcements/public comment – None
- 4) Meet with Town Attorney concerning resort acquisition and related matters – The Town Attorney was not present.
- 5) Discuss and consider Memorandum of Understanding related to trail easements and resort property acquisition – **Glenn moved to go into Executive Session to discuss matters related to the resort property acquisition (1 V.S.A. §313(a)(2)). Tom seconded the motion, which passed unanimously. At 8:20 AM, Glenn moved to come out of Executive Session. Tom seconded the motion, which passed unanimously.** Glenn noted that no action was taken. Glenn said discussions with interested parties will continue today.
- 6) Continue meeting – **Glenn moved to continue this meeting until Wednesday, September 17th at 8:00 AM. Tom seconded the motion, which passed unanimously.**
- 7) Reconvene – At 8:00 AM on September 17th, Glenn reconvened the meeting that began on Tuesday, September 16th.
- 8) Discuss and act on matters concerning resort property acquisition – Glenn said the Selectboard received a draft of the Memorandum of Understanding (MOU) that outlines terms and conditions with the seller. Glenn said there are a couple of changes that need to be made to the MOU - one regarding motorized vehicle use for emergency purposes, and one regarding the amendment of a local permit condition from 1984. Glenn said he will make the changes and get a revised draft to the Town Attorney. Glenn said everyone has been working hard on the MOU to allow for an option agreement between TPL and MFW. Glenn said the voter information letter is complete and should be mailed later today. Glenn said TPL provided a draft of Frequently Asked Questions and a project overview. Glenn said he will begin approaching people about providing letters of support for the grant applications. Tom asked about restrictions on the use of the former day skier parking lot. Glenn said the conservation easement will restrict the town from subdividing, selling, or using the lot for commercial purposes; other restrictions, if any, would be negotiated with the easement holder after the option agreement is signed. Tom said we need some flexibility if we're going to acquire the old base lodge and the remaining chairlift. Glenn said he has discussed that with Kate and she said it should not be an issue. Tom asked about the water system infrastructure. Glenn said it will just get carved out of the property, which is why 469 is an approximation of the acreage. Glenn said Deer Run Road will also have to be addressed. Glenn said Kate has no problem with the existing resort signage on the property to be acquired by the town. Glenn said he hopes the MOU will be ready to sign tomorrow morning if Tom's schedule allows. Tom said he is available.
- 9) Continue meeting – **Glenn moved to continue this meeting until Thursday, September 18th at 8:00 AM. Tom seconded the motion, which passed unanimously.**
- 10) Reconvene – At 8:00 AM on September 18th, Glenn reconvened the meeting that began on Tuesday, September 16th and was continued on September 17th. Regarding issues related to the purchase of certain portions of the Ascutney Mountain Resort property, Glenn said there have been some developments overnight which should be discussed in executive session. Before going into executive session, Glenn asked Tom if he had anything for the record. Tom noted West Windsor's Grand List numbers for the past six years: \$365 million (2009), \$357 million (2010), \$352 million (2011), \$347 million (2012), \$281 million (2013), \$263 million (2014). Tom said it's obvious that

we have to do something to reverse this trend. Tom said, according to his calculations, if the property the town is proposing to acquire had been taken off the tax rolls in 2014, the tax rate would have been the same. Glenn said the decline in the Grand List provides a clear rationale for the Selectboard's approach to dealing with this issue. Tom noted that the Grand List has decreased by over \$100 million in five years. Glenn noted that the Town Attorney is not present but he hopes to speak with him this afternoon. Glenn said there is no final MOU to consider signing this morning but he would like to discuss payment for the Hotel spur project under "Other Business." **Glenn moved to go into Executive Session to discuss the potential real estate purchase (1 V.S.A. §313(a)(2)). Tom seconded the motion, which passed unanimously.** After discussion, **Glenn moved to come out of Executive Session at 8:15 AM with no action taken. Tom seconded the motion, which passed unanimously.** Glenn said conversations will continue with the seller and the seller's attorney.

- 11) Other Business – Glenn said the hotel spur project is complete, everything is working, and the contractor has requested final payment. Glenn suggested retaining 10% until all parties are comfortable that everything is running smoothly. Glenn noted that the money for this project was collected upfront from the people who are served by this portion of the sewer system; this project is not being funded by tax dollars. **Glenn moved to authorize a payment to Courtland Construction holding back 10% of the amount remaining to be paid, which is \$57,526.62. Tom seconded the motion, which passed unanimously.** Tom asked when the remaining 10% would be paid. Glenn said the Selectboard should have another vote on the remaining payment.
- 12) Continue meeting – **Glenn moved to continue this meeting until Friday, September 19^h at 8:00 AM. Tom seconded the motion, which passed unanimously.**
- 13) Reconvene – At 8:00 AM on September 19th, Glenn reconvened the meeting that began on Tuesday, September 16th and was continued on September 17th and September 18th. Tom noted that he attended the School Board meeting last night and they are very enthusiastic about the town acquiring the resort property and will be sending a letter of support. Glenn noted that the Town Attorney is not present. Glenn said the town and the seller are still working on the tax language in the MOU and he hopes that it will be finalized today. Glenn said the resort property owner is concerned about paying taxes on property that he has no control over because it is "locked up" by an option agreement. Glenn said the town would have full access to the property during the option period so we are trying to figure out how to address the tax issue. Tom said he thinks the lease idea is good. Glenn explained that the town is talking with the owner about leasing the property for the amount of taxes due on an annual basis during the option period. **Tom moved to go into Executive Session to discuss the potential real estate purchase (1 V.S.A. §313(a)(2)). Glenn seconded the motion, which passed unanimously. Glenn moved to come out of Executive Session at 8:16 AM with no action taken. Tom seconded the motion, which passed unanimously.** Glenn noted that the Selectboard's second regular monthly meeting is on Monday at 8:00 AM.
- 14) Adjourn – **Glenn moved to adjourn at 8:17 AM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison