



Selectboard Meeting Minutes Draft

September 25th, 2023

Present : Stephen Finneron, Chairman
 Jim Haff
 Chris Karr

 Michael Ramsey, Town Manager

1. Call to Order
2. Approval of the Agenda
3. Approval of Meeting Minutes
4. Selectboard Member Feedback and Concerns
5. Open Public Comment
6. AJGA Economic Impact Report (*Patrick Plank & David Bower*)
7. Speed Limit Reduction
8. Public Works Director Report
9. East Mountain Road Reconstruction bid award
10. RT. 4 ERU Sewer Rate
11. Bulky Waste Pickup Date
12. Board of Liquor Control
13. GMP Purchase of Town Owned property for Substation along RT. 4 (*Guest: GMP*)
14. USDA Loan Obligation
15. Fire & Police Report
 - a. Firefighter Staffing
 - b. Body Camera Data Storage
16. Town Financials
 - a. Budget Comparative Report
 - b. Treasurers Report
17. Green Mountain National Golf Course
 - a. Budget Comparative Report
 - b. Treasurers Report
 - c. Capital Outlay: (Golf Carts & Facility Maintenance Building)
18. Managers' Report
19. Citizens Input
20. Other Business
21. Executive Session
22. Adjourn

1. Call to Order

The Meeting was called to order at 6:30am.

2. Approval of the Agenda

A motion was made to approve the Agenda as presented. The motion was unanimously approved.

3. Approval of Meeting Minutes

- SB Haff made a motion to approve the Special Selectboard Meeting Minutes of September 11th, 2023. It was unanimously approved.
- SB Haff made a motion to approve the Selectboard Meeting Minutes of September 11th, 2023. It was unanimously approved.
- SB Haff made a motion to approve the Special Selectboard Meeting Minutes of September 18th, 2023. It was unanimously approved.

4. Selectboard Member Feedback and Concerns

There was none.

5. Open Public Comment

A resident had a question about a delinquent tax bill. The Selectboard discussed the resident's concern and referred her to speak to the Town Clerk.

6. AJGA Economic Impact Report (*Patrick Plank & David Bower*)

Patrick Plank spoke on the AJGA Economic Impact Report. The AJGA proposed for the AJGA event to return to the GMNGC from June 17-20, 2024. Plank reviewed the Economic Impact Report with the Selectboard which he stated had an impact of \$423,782 dollars. He also provided a list of hotel registrations.

7. Speed Limit Reduction

- TM Ramsey spoke about two speed studies that were done on River Road and Killington Road. The speed limit on River Road is 25mph on the pavement and 30mph on the gravel. The study suggested the speed limit be reduced to 25mph on both. The speed limit on the Killington Road is 35 mph and the study suggested it be reduced to 30mph.
- SB Haff made a motion to reduce the speed limit to 25mph on River Road and 30mph on the Killington Road. It was unanimously approved.
- A discussion was held on police presence and speeding on the Killington Road.

8. Public Works Director Report

Chet Hagenbarth presented the Public Works Director Report. Hagenbarth met with FEMA twice last week to review the damages and mitigation options for East Mountain Road. The Town completed emergency repairs which makes the roads passable. Temporary paving was estimated to cost \$219,000 dollars and could be done by November 2023. The final

repaving process was estimated to cost \$1,115,940 dollars and could be completed by Spring 2024. This did not include the price of replacing culverts.

9. East Mountain Road Reconstruction bid award

TM Ramsey stated a bidding process would begin on the asphalt and remediation culvert work. This discussion was tabled.

10. RT. 4 ERU Sewer Rate

- Hagenbarth stated the yearly ERU RT. 4 Sewer bills needed to be sent again. Last year, a total of \$116,000 dollars was received. The Town was still waiting to receive another pump and will be installing one in November 2023. A \$935 fee per ERU was suggested for the upcoming year.
- SB Haff made a motion to set the RT. 4 Sewer Rate at \$935 per ERU. It was unanimously approved.

11. Bulky Waste Pickup Date

Bulky Waste Pickup Day will be Nov. 4th from 8am to 4pm; Nov. 5 from 8am to 12pm; and Nov. 6 from 8am to 4pm. No hazardous waste will be accepted. A pass will be needed.

12. Board of Liquor Control

Lucrecia Wonsor, Town Clerk, presented Grey Bonnet's request for a renewal of their 1st class liquor license. SB Haff made a motion for the Town Clerk to move forward with the Grey Bonnet's request for a 1st class liquor license. It was unanimously approved.

13. GMP Purchase of Town Owned property for Substation along RT. 4 (Guest: GMP)

GMP did not attend the meeting. This discussion was tabled.

14. USDA Loan Obligation

TM Ramsey reviewed the USDA Loan Obligation for the Killington Forward project. USDA does not approve loans over 10 million so there are two loan resolutions for a total \$18.394 million dollars. TM Ramsey asked for a resolution of the board to authorize the two loan resolutions. Please see the attached Loan Resolutions.

15. Fire & Police Report

a. Firefighter Staffing

Paul Ginther, Fire Chief, spoke on firefighter staffing needs. He stated the firehouse needed 24/7 coverage with at least one firefighter. He requested hiring two fulltime firefighters who would work 24 hours on and 48 hours off shifts. SB Haff made a motion to follow Chief Ginther's recommendation of hiring two firefighters and to change the shift schedule. It was unanimously approved.

Chief Ginther stated that the firehouse needed a bunk room. A bunk room was identified and approved by the Fire Marshall on the condition of an addition to the room's alarm. Furniture would need to be purchased for the room. SB Haff made a

motion to approve the plan for temporary housing for firefighters. It was unanimously approved.

b. Body Camera Data Storage

Whit Montgomery, Police Chief, stated a system was needed to store the Police Department's body camera data. Chief Montgomery identified a cloud system that would provide unlimited storage and allow for redactions. SB Haff made a motion to approve a 5-year subscription to this cloud service at \$21,200 for all 5 years instead of \$5,000 per year. It was unanimously approved.

16. Town Financials

a. Budget Comparative Report

The Selectboard reviewed the Town's Budget Comparative Report for August. SB Haff made a motion to approve the Town's Budget Comparative Report for August. It was unanimously approved.

b. Treasurers Report

The Selectboard reviewed the Town's Treasurers Report for August. SB Haff made a motion to approve the Town's Treasurers Report for August. It was unanimously approved.

17. Green Mountain National Golf Course

a. Budget Comparative Report

The Selectboard reviewed GMNGC's Budget Comparative Report for August. SB Haff made a motion to approve the GMNGC's Budget Comparative Report for August. It was unanimously approved.

b. Treasurers Report

The Selectboard reviewed GMNGC's Treasurers Report for August. SB Haff made a motion to approve the Town's Treasurers Report for August. It was unanimously approved.

c. Capital Outlay: (Golf Carts & Facility Maintenance Building)

- GMNGC's golf cart lease agreements will end soon and GMNGC needs to know how to proceed.
- GMNGC's Facility Maintenance Building needs to be refurbished and is leaking. The Selectboard agreed that it should be repaired.

18. Managers' Report

Due to the length of the Meeting, TM Ramsey instructed participants to review the Town Manager's Report available on the Town's website.

19. Citizens Input

There was none.

20. Other Business

The Selectboard announced that a ribbon cutting and first tree cutting would take place at the new pump station location on Oct. 4th, 2023 at noon with an after party at the Killington Welcome Center.

21. Executive Session

SB Haff made a motion to enter into Executive Session for personnel and contacts at 9:02pm. The Selectboard stated that no action would be taken.

22. Adjourn

The Meeting was called to adjournment at 9:02pm.

DRAFT

LOAN RESOLUTION
(Public Bodies)A RESOLUTION OF THE SelectboardOF THE Town of KillingtonAUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

FY 23 Killington Forward - Killington Road Reconstruction Project

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Killington
(Public Body)(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
Nine Million Three Hundred Ninety Four Thousand and 00/100 Dollarspursuant to the provisions of Vermont State Statutes; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

- 11. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
- 12. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
- 13. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
- 14. That if the Government requires that a reserve account be established and maintained, disbursements from that account may be used when necessary for payments due on the bond if sufficient funds are not otherwise available. With the prior written approval of the Government, funds may be withdrawn for:
 - (a) Paying the cost of repairing or replacing any damage to the facility caused by catastrophe.
 - (b) Repairing or replacing short-lived assets.
 - (c) Making extensions or improvements to the facility.

Any time funds are disbursed from the reserve account, additional deposits will be required until the reserve account has reached the required funded level.

- 15. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain the Government's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
- 16. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
- 17. To accept a grant in an amount not to exceed \$ 0

under the terms offered by the Government; that the Town of Killington Selectboard and Town Manager of the Association are hereby authorized and empowered to take all action necessary or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee

The vote was: Yeas 3 Nays 0 Absent 0

IN WITNESS WHEREOF, the SELECTBOARD of the Killington, Town of has duly adopted this resolution and caused it to be executed by the officers below in duplicate on this 25TH day of SEPTEMBER, 2023.

(SEAL)

[Signature]
By Michael Ramsey
Title Town Manager

Attest:
[Signature]
Asst. Town Clerk
Title

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE Selectboard

OF THE Killington, Town of

AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS

FY 23 Killington Forward - Killington Road Reconstruction Project

FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Killington
(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of Nine Million 00/100 Dollars

pursuant to the provisions of Vermont State Statutes; and

WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U. S. C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

