



Town of Thetford Vermont

3910 Vermont Route 113 • P.O. Box 126 • Thetford Center, VT 05075
802-785-2922 • thetfordvermont.us

Selectboard Regular Meeting *Draft* Agenda – Online Only –

Monday, January 11, 2021 7:00pm

Please note Section 6 of H.681, signed into law on March 30th, 2020, for the temporary suspension of designated physical meeting location requirements.

To connect to Zoom via computer: <https://us02web.zoom.us/j/88122490498>

To connect via phone only: +1 (646) 558 8656 | Meeting ID: 881 2249 0498

Note: Selectboard meetings are in public, but not of the public. 1 V.S.A. § 312 (h) states, “At an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting, as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson.”

7:00pm – Call to Order

1. Agenda Review
2. Public Comment
3. Town Manager Report
4. Town Meeting Day Discussion with Town Moderator, Mike Kiess
5. Draft Warned Articles
6. Town Report(s)
7. Possible Budget Discussion (<https://bit.ly/3qtxtnV>)
8. VTrans Town Highway Mileage Certificate
9. Warrants and Minutes
10. Adjourn

2021 Thetford Town Meeting Warning

The legal voters of the Town of Thetford are hereby warned to meet at Thetford Town Hall in said Town on _____ to transact the following business by Australian ballot:

- Article 1 Shall the Town have all taxes paid by 5:00pm on Friday, October 15, 2021?
- Article 2 Shall the Town charge a penalty of eight percent on all taxes collected after the due date of said taxes?
- Article 3 Shall the Town collect interest on overdue taxes at a rate of one percent per month, or fraction thereof, for the first three months and thereafter one and one-half percent per month, or fraction thereof?
- Article 4 Shall the Town raise the sum of \$____ (_____dollars) for the budgeted expenditures of the Town General Fund?
- Article 5 Shall the Town raise the sum of \$____ (_____dollars) for the budgeted expenditures of the Department of Public Works Fund?
- Article 6 Shall the Town raise the sum of \$107,585 (one hundred and seven thousand, five hundred and eighty-five dollars) as an appropriation to the Thetford Library Federation?
- Article 7 Shall the Town raise the sum of \$8,605 (eight thousand, six hundred five dollars) as an additional appropriation to the Thetford Library Federation for the purpose of increasing the total appropriation?
- Article 8 Shall the Town raise the sum of \$198,437 (one hundred ninety-eight thousand, four hundred thirty-seven dollars) as an appropriation to the Thetford Volunteer Fire Department?
- Article 9 Shall the Town raise the sum of \$5,594 (five thousand, five hundred ninety-four dollars) as an additional appropriation to the Thetford Volunteer Fire Department for the purpose of increasing the total appropriation?
- Article 10 Shall the Town raise the sum of \$98,379 (ninety-eight thousand, three hundred and seventy-nine dollars) as an appropriation to the Thetford Volunteer Fire Department for the purpose of purchasing equipment?
- Article 11 Shall the Town raise the sum of \$119,048 (one hundred nineteen thousand, forty-eight dollars) as an appropriation to Upper Valley Ambulance?

Polls open on _____ from _____ to _____.

Current year Town Report Inclusion List	Person Responsible	Request Sent	Report Received
Cover and cover pages and pictures	serena		
Animal Control Officer	Susan Arnold	1/4/2021	
Appropriations summary	Selectboard Assistant	1/4/2021	
Ballot results	Tracy Borst	1/4/2021	
Budget Report	Selectboard	1/4/2021	
Candidates for office	Tracy Borst	1/4/2021	
Community Nurse	Pril Hail	1/4/2021	
Cemetery commission	Sam Eaton	1/4/2021	
Conservation Commission	Steve Lehman	1/4/2021	
Development Review Board	Tim Taylor/Diane Osgood	1/4/2021	
EC Fiber	Jim Masland	1/4/2021	
Elected & Appointed Officials	Tracy Borst	1/4/2021	
Emergency Management Coordinator	Mariah Whitcomb	1/4/2021	
Energy Committee	Mike Kiess/Tom Ward	1/4/2021	
Fire Warden	Chad Whitcomb	1/4/2021	
Food Shelf/Town Service Officer	Mary Allen	1/4/2021	
Greater Upper Valley Solid Waste Management	Ham Gillett	1/4/2021	1/4/2021
Health Officer	Mariah Whitcomb	1/4/2021	
Historic Preservation	Stephen Branchflower	1/4/2021	1/5/2021
Historical Society	Martha Howard	1/4/2021	
Latham Memorial Library & Peabody Library	Peter Blodgett	1/4/2021	
Library Federation	"	1/4/2021	
Listers Report	Listers	1/4/2021	
Moderator	Mike Kiess	1/4/2021	
Ompompanoosuc Community Trust	Manohar Grewal	1/4/2021	
Planning Commission Report	David Forbes	1/4/2021	1/6/2021
Police Department	Chief Michael Evans	1/4/2021	
Public Works	Nathan Maxwell	1/4/2021	
Rabies Clinic	Tracy Borst	1/4/2021	
Recreation Director	Nathan Maxwell	1/4/2021	
Recycling Center Director	Susanne Simon	1/4/2021	
Selectboard Report	Selectboard/Li Shen	1/4/2021	
Senior & Affordable Housing Committee	Sarah Martell	1/4/2021	
State Representative	Masland & Briglin	1/4/2021	
TCCA	Gail Egner	1/4/2021	
TEN Thetford Elder Network	Jody Biddle	1/4/2021	
Thetford Hill Village Improvement Society	Sam VanDam	1/4/2021	
Town Clerk Report	Tracy Borst	1/4/2021	
Town Meeting Information	Tracy Borst	1/4/2021	
Town Meeting Minutes	Tracy Borst	1/4/2021	
Treasure Island	Nathan Maxwell	1/4/2021	
Tri Town Commission	Li Shen	1/4/2021	
Trustees of Trusts funds	Joe Tofel	1/4/2021	
TVFD	Chad Whitcomb	1/4/2021	
Two Rivers-Ottawaquechee Regional Commission	Jesse Anderson	1/4/2021	12/15/2020
Upper Valley Ambulance	Alan Veeva	1/4/2021	10/16/2020
Upper Valley Fish & Game Club	Rhett Scruggs	1/4/2021	
UV River Subcommittee & CT River Joint Commissions	Steven Lembke contact@rjc.org	1/4/2021	11/25/2020
VLCT	vlct.org - find on website	1/4/2021	
Voter Information	Tracy Borst	1/4/2021	
VT Department of Health	Rudolph Fedrizzi (Rudy)	1/4/2021	1/5/2021
VT State Police - Matthew.Amadon@vermont.gov	Matthew Amadon	1/4/2021	
Warning	Tracy Borst	1/4/2021	
Zoning	Diane Osgood	1/4/2021	
FINANCIALS (Tracy)			
Balance Sheet of Governmental Funds	Tracy Borst	1/4/2021	
Budget	Selectboard	1/4/2021	
Capital Equipment Replacement Schedule (Selectboard)	Selectboard	1/4/2021	
Cemetery Trust Funds	Joe Tofel	1/4/2021	
Collector of Delinquent tax report	Town Manager	1/4/2021	
Combined Balance Sheet	Tracy Borst	1/4/2021	
Combines Schedule of Rev/changes in fund balances	Tracy Borst	1/4/2021	
Delinquent Tax list	Town Manager	1/4/2021	
Estimated Tax Rates	Town Manager	1/4/2021	
Governmental Capital Assets	Tracy Borst	1/4/2021	
Latham Library Scholarship Trust fund	Tracy Borst	1/4/2021	
Marston/Smith Gravesite Fund	Tracy Borst	1/4/2021	
Notes to Financial Statements	Tracy Borst	1/4/2021	
Property Tax Reconciliation	Tracy Borst	1/4/2021	
Schedule of Indebtedness	Tracy Borst	1/4/2021	
Statement of Fund Balances	Tracy Borst	1/4/2021	
Town Farm Trust Funds	Tracy Borst	1/4/2021	
Town Hall Renovation Bond Schedule	Tracy Borst	1/4/2021	
Treasurers Report	Tracy Borst	1/4/2021	

District 4
 Certcode 0911-0

**CERTIFICATE OF HIGHWAY MILEAGE
 YEAR ENDING FEBRUARY 10, 2021**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2021 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section through upload to the secure FTP site or if necessary via mail to: VTrans PPAID - Mapping Section, 2178 Airport Rd, Unit B, Berlin, VT 05641.

We, the members of the legislative body of **THETFORD** in **ORANGE** County
 on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 2	14.230				0.000
Class 3	49.01				0.000
State Highway	26.335				0.000
Total	89.575				0.000
* Class 1 Lane	0.000				
* Class 4	9.46				0.000
* Legal Trail	0.00				

* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

- NEW HIGHWAYS:** Please attach Selectmen's "Certificate of Completion and Opening".
- DISCONTINUED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- RECLASSIFIED/REMEASURED:** Please attach SIGNED copy of proceedings (minutes of meeting).
- SCENIC HIGHWAYS:** Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below.

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees: _____

Signature of T/C/V Clerk: _____ Date Filed: _____

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED: _____
 Representative, Agency of Transportation

DATE: _____



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Selectboard Regular Meeting *Draft* Minutes

– Online Only –

Monday, January 4, 2021 7:00pm

Please note Section 6 of H.681, signed into law on March 30th, 2020, for the temporary suspension of designated physical meeting location requirements.

Selectboard members present: Mary Bryant, Nick Clark (Chair), Sharon Harkay, Li Shen, Steve Tofel

Others present: Tom Yennerell (Interim Town Manager), Tracy Borst (Town Clerk/Treasurer), Jim Masland (State Representative), Martie Betts (Selectboard Assistant)

Total Zoom Attendees: 35

Nick Clark called the meeting to order at 7:05 pm.

1. Agenda Review

No changes to the agenda.

2. Public Comment

Nick Clark said there would be a public hearing about the proposed AT&T cell tower project on January 14th at 6:00 pm.

Joy Gaine said she had questions about the investigation of Nathan Maxwell, and the findings of the investigation. While she understood that there are some things that can't be shared, she wanted to know who did the investigation, what were they investigating, and anything else that could be disclosed.

Tom Yennerell said that the Thetford Police Department did the investigation into what really happened, how the posts occurred, and who did the posting.

Alexis Jetter said she is not satisfied with that answer. Alexis said without violating confidences, she has done some investigating and she is not satisfied with a blanket statement that it's been taken care of. In her investigation she has come across several postings that range in offenses from crude language to criminal threatening. Alexis said that Vermont takes criminal threatening very seriously. In addition, what was posted both in terms of the death threat and the videos, clearly violate what is in our Town's personnel policy. Alexis said she cares for Nathan and has worked closely with him, and while she likes and trusts him, this is not okay. Alexis said she has communicated that with Nathan. Alexis said to have someone on the Town's payroll makes the



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1 Town complicit with the views that Nathan expressed. Public health officials are very upset
2 about the message in the video Nathan sent about wearing masks, and his video is being used by
3 a California medical school to teach nurses how to deal with anti-maskers. That's what our Town
4 is now known for. There are people talking with each other about this because there has been
5 radio silence from the Selectboard and Town Manager. We are talking about something that a
6 Selectboard member has put forward, and that's restorative justice, which is a very useful,
7 informative and powerful tool. It can only work after Nathan steps down.

8 Tom replied that he has not had any one-on-one conversations with Alexis, and he would
9 welcome that. Tom said they have provided as much information can be provided to the public
10 and there's nothing more to report. The radio silence is simply because the topic is completed.

11 Alexis said she wanted to go on record as finding that completely unacceptable, and while she
12 has not been in touch with Tom, she has been in touch with Jessica, with Nathan, and with
13 people who have seen screen shots and transcribed other posts which are racist. Where do we
14 draw the line? Alexis said this is not about Nathan anymore, it's about our town. We are
15 complicit and we are now identified as a town that is okay with having someone on the public
16 payroll who expresses these views. The Town is hiding behind the personnel policy, which those
17 posts clearly show he violated. Alexis said she understands the town has a high legal expense
18 problem and may be overly cautious to avoid a lawsuit, but after consulting with lawyers about
19 this, does not believe there is anyway Nathan would prevail in a freedom of speech lawsuit when
20 he's facing criminal threatening charges, as well as violating at least three aspects of the
21 personnel policy.

22 Jim Masland said he would like to know what Tom meant when he said the matter was complete.
23 Did he mean the investigation was complete or the whole topic as far as the Selectboard and
24 Town Manager are concerned? Tom said the investigation is complete and the topic is also
25 complete. Jim responded that he was very disappointed with that. If what Nathan did constitutes
26 as criminal threatening, it's a very serious charge. If what he did violates the Town personnel
27 policy, then he thinks the Selectboard and the Town has no business keeping him as an
28 employee. Jim gave an example from his time on the Selectboard when an employee was
29 terminated for openly mocking a person with a physical disability. Jim said he appreciates that



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1 people have sympathy towards Nathan and want to help him heal, but what we're talking about
2 now is far more serious than that. Jim said he hopes that Nathan can figure out a way to
3 completely come to peace within himself and with his family in regard to this, but the charges
4 are very severe and he can't see how anyone who has done those things can be a Town
5 employee. Jim said the people he is addressing need to recognize that and deal with it.
6 Tom commented that we are hearing things like violation of the personnel policy and criminal
7 activity. The Town's legal council has reviewed everything from that standpoint and does not see
8 a violation of the personnel policy or any criminal activity. Tom said he wanted to be really clear
9 that they have to rely on a very experienced municipal and labor law attorney when it comes to
10 these matters, and not rely on what the public thinks may have happened or their interpretation of
11 it.
12 Jim said that the Selectboard and Town Manager should remember that Vermont League of
13 Cities and Towns (VLCT) does not represent the people of the town, it represents the municipal
14 interests, meaning the Selectboard, and they try to protect you from legal action. Jim said they
15 could see the YouTube videos for themselves, and if they could come away with a clean
16 conscience by saying it's okay for a Town employee to engage in that type of activity, and say
17 this matter is done, he has a really hard time with that.
18 Nick reminded everyone that the Selectboard no longer has anything to do with personnel
19 matters. Statute dictates that the Town Manager has authority over personnel.
20 Annie Coulter said she wants to be counted among those who are very disappointed with the
21 decisions that have been made. It's fairly undisputed that Nathan said the words that he said in
22 this video, and she has seen other videos that are racist as well. Annie said she would like to take
23 what Alexis said a step further in that not only is the Town being complicit by keeping Nathan
24 on the payroll, but they are also supporting his actions. With no repercussions you are
25 supporting and condoning his sentiments. Nathan's words are being condoned as what Thetford
26 stands for. Annie said that is not what she stands for. Annie said that while Tom consulted with
27 the police department and others, she was hesitant to speak out because she no longer trusts
28 Nathan. He might target her for speaking out against him. She no longer feels safe doing this
29 because of what he did, and the Town is almost rewarding him by giving him a position of



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1 power. Annie said she is feeling incredibly disempowered when they say this conversation is
2 over, that the decision has been made. Annie said considering the state of the country now and
3 everything people have been through, the Town needs to take a stand in opposite direction; it is
4 not okay for people to be racist, for people to be sexist. Your decisions are not my choice and
5 you are not representing my feelings as a member of this town.

6 Joe Deffner asked Tom for a clearer explanation of the freedom of speech issues they had
7 discussed previously via email.

8 Tom said he would try to remember how the Town attorney viewed that issue. Tom also clarified
9 that this was coming from the Town attorney, not from VLCT. Tom said freedom of speech was
10 just one of the things that the attorney mentioned, and it wasn't really a critical thing because
11 most of this involves labor law instead of freedom of speech issues. Joe said the way he read
12 their correspondence made it sound like there were freedom of speech issues involved and
13 therefore something Tom was standing on in terms of his decision.

14 Tom replied not really. As we kept exchanging emails we just kept digging deeper into various
15 things, and that was just an additional part of the conversation that occurred with the Town
16 attorney. Joe said he thinks we have to be careful using freedom of speech as a pretext in terms
17 of the decisions we make because he thinks this goes a lot deeper than freedom of speech.
18 Tom said he agrees with that.

19 Joe said his second comment is for the Selectboard and maybe to Nick. He thinks it's important
20 that while being recognized as a personnel issue, the one employee that you hire and are
21 responsible for supervising, is the Town Manager. In effect, the buck stops with the Selectboard
22 in terms of managing the Town Manager. We elect people to serve on the Selectboard, we don't
23 elect a Town Manager. When we elect people to be on the Selectboard, we do so with the
24 understanding that they are responsible for the Town Manager and the decisions that he or she
25 makes, and the actions that they carry out. It's a little bit disingenuous to say that all personnel
26 decisions are handled by the Town Manager, and in effect, abdicating your responsibility there.
27 Nick Clark said everyone knows that the Town is fairly new to this form of government. Tom is
28 an interim manager, the third manager in a year, and the Selectboard has been struggling at every
29 turn with the transition; what the role of the Selectboard is and what the role of the Town



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1 Manager is and it's been different with every Town Manager. Some things are in a gray area and
2 some things are spelled out in statute. Personnel is spelled out in statute and while Nick knows
3 this is about more than personnel, the Selectboard is trying to figure out how to operate in a new
4 environment. The transition is a struggle, the situation is a struggle. It's complicated and they are
5 trying to grapple with the situation and the form of government. Nick said Tom has
6 communicated with them about this issue, and there have been several executive sessions. The
7 Selectboard will work with whatever Town Manager they have, and work towards the best in
8 every situation.

9 Joe Deffner said he thinks it's important that the Selectboard recognizes that, while it has been a
10 trying time, the citizens elect the members of the Selectboard and not the Town Manager.

11 Mary Bryant said point taken, and she's heard everything. Mary said she has a few things she is
12 working on concerning this situation, and she is hoping for a possible different outcome. Mary
13 said she hasn't seen a lot of things other people said they have seen. Mary said it is very
14 complicated in her heart and mind, and she has some things she'd like to go forward.

15 In the interest of time, Nick said he would encourage anyone that has questions or comments to
16 reach out to Tom or the Selectboard.

17

18 **3. Town Manager Report – Tom Yennerell**

19 Tom said there was a request made for the Town to get a seat at the table regarding handling the
20 underground water situation in Post Mills and that has been accomplished. The Town will be
21 involved as things develop, our concerns have been presented, and the new owner is willing to
22 have us participate in the conversation.

23 The bridge on Turnpike Road South is now complete.

24 Tom is still waiting for the remaining information from FEMA, but Stantec has promised to have
25 answers for the first 3 inquiries by Friday, January 8th.

26 Thetford Elementary School is not interested in hosting any recreation programs this winter, but
27 the Recreation Advisory Committee is working to come up with other activities. The Norwich
28 Recreation Department has continued to open their programs to Thetford residents. The 2021



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1 budget does have a line item for a part-time Parks and Recreation Coordinator and the position
2 will be posted this week. At this point, it is a 20-hour a week position.
3 There will soon be an advertisement for bids to sell the property on Route 244 in Post Mills.
4 Tom reminded the Selectboard that tomorrow he will be negotiating the two collective
5 bargaining agreements. The Town attorney will be present at those negotiations.

6

7 **4. Appointment to the Development Review Board**

8 **Motion** by Li Shen to appoint Angela McCanna to be a full member of the Development Review
9 Board (DRB).

10 Angela McCanna said she was sorry didn't get to meet Don Longwell who resigned after being
11 on the board for many years.

12 Mary Bryant thanked Angela for her interest in being on the DRB board. Angela said she has
13 been an alternate for some time.

14 **VOTE by roll call:** Li Shen – in favor, Mary Bryant – in favor, Steve Tofel – in favor, Sharon
15 Harkay – in favor, Nick Clark – abstained due to a potential upcoming hearing.

16

17 **5. Warrants and Minutes**

18 **Motion** by Steve Tofel to accept the warrants, as presented. **VOTE unanimous (5-0-0)**

19 **Motion** by Nick Clark to accept the Selectboard meeting minutes of December 10th, 2020, as
20 edited. **VOTE unanimous (5-0-0)**

21 **Motion** by Mary Bryant to accept the special Selectboard meeting minutes of December 14th,
22 2020, as edited. **VOTE unanimous (5-0-0)**

23 **Motion** by Sharon Harkay to accept the special Selectboard meeting minutes of December 19th,
24 2020, as presented. **VOTE unanimous (5-0-0)**

25 **Motion** by Steve Tofel to accept the special Selectboard meeting minutes of December 21st,
26 2020, as presented. **VOTE unanimous (5-0-0)**

27 **Motion** by Li Shen to accept the special Selectboard meeting minutes of December 28th, 2020, as
28 presented. **VOTE unanimous (5-0-0)**

29



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6. Discussion of the 2021 Draft Municipal Budget <https://bit.ly/3qtxtnV>

Items discussed –

Nick said an email from the Fire Department Trustees was received and will be added to the discussion about articles.

DPW Capital Equipment fund: there is a proposal to change when the equipment would be purchased, but the amount to be raised stays the same.

Recycling: the budget is incomplete. A weekly volunteer is leaving, and a staff person will need to be hired, with an anticipated yearly income of \$1500. Tom is waiting for final numbers from Nathan Maxwell. The amount was later confirmed by Nathan and the Selectboard agreed to add the amount to the Transfer Station budget.

Police Department budget: Sharon Harkay felt the department should be level funded with no decrease in hours, especially as the union contract is currently in negotiations. Mary Bryant agreed, saying she wasn't expecting the decrease to be calculated in the budget when it was discussed previously. The budget item, along with an update on union negotiations, will be put on the next agenda.

Stipends: The stipend for the Planning Commission clerk will be removed. The duties of an Animal Control Officer will be shifted to one of the Police Officers. The Town Manager will appoint the position, so the stipend for Animal Control Officer will be removed. The stipend for the Emergency Management Officer will be adjusted to \$4500, and the stipend for the Health Officer will remain at \$500.

Life insurance for Town employees: this will be moved to the next agenda.

Town facilities: Sharon Harkay has been documenting the facility needs for the Town. The two main areas to consider are the Department of Public Works and the Transfer Station. The Selectboard agreed to keep the contribution to the planning/consulting fund at \$4000, and the Transfer Station at \$2500. The Department of Public Works facility fund will increase to \$5000.

Tree fund: this was discussed. No changes made.

Elections was discussed. No change made at this time.

Articles will be discussed at the next meeting.



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- 1 **Adjourn**
- 2 **Motion** by Sharon Harkay to adjourn the Selectboard meeting at 9:21 pm. **VOTE unanimous**
- 3 **(5-0-0)**
- 4