

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Select Board

Martin Memorial Hall

5259 Route 5, Ascutney VT

Monday, January 4, 2021

6:30 PM

REGULAR MEETING

MINUTES

Select Board Members Present: N. John Arrison
David Fuller
Joseph Jarvis
Paul Tillman
Michael Todd

Select Board Members Absent:

Brandon Gulnick, Town Manager (joined the meeting online)

Others Present (online):

Ray Stapleton			
AnnMarie Redmond			
Susanne Terrill			

The Public was permitted to attend this meeting in person. Remote public participation was facilitated via the GoTo Meeting video-conferencing platform and conference calling. The number for people to join or call in to the meeting was published on the meeting agenda and on the Town’s website. Mr. Gulnick monitored the calls and the video-platform while Mr. Fuller ran the meeting. The meeting was recorded by both the GoTo Meeting platform and SAPA TV.

1. Call to Order

Mr. Fuller called the meeting to order at 6:34 PM.

2. Comments from Select Board and Town Manager and Citizens on Topics not on the Agenda

Mr. Todd reminded the Board that this is the time of year when the Board considers awarding the Citizen Service Award. He asked the Board to consider recognizing all Town Employees for the award, given the circumstances over the last year.

Mr. Tillman said the Planning Commission voted at their last meeting to adopt the Future Land Use Map. A public hearing with the Select Board will be required before the Map can be officially adopted as part of the Zoning Bylaws.

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Mr. Fuller said he had attended some of the Planning Commission meetings to observe and was very impressed with the quality and thoroughness of their work.

Mr. Arrison once again stated that there are open elected positions and that no petitions are needed. However, all candidates must file a consent form with the Town Clerk by the deadline.

There were no comments from the public or the Town Manager.

3. Review minutes from previous meetings – December 21, 2020

Additions/corrections/deletions:

a. None

Motion: To approve the minutes of the December 21, 2020 meeting

Made by: Mr. Arrison **Second:** Mr. Todd

Mr. Fuller remarked that it was not his intention to be unclear in the discussion under the “Chain of Command” agenda item.

Vote: All in favor

Mr. Fuller asked to move item #12 on the agenda to this point in the meeting. There were no objections.

Motion: To move the January 18th meeting to January 19th at 6:30 PM

Made by: Mr. Tillman **Second:** Mr. Jarvis

Vote: All in favor

Mr. Fuller asked to move item #5 on the agenda to this point in the meeting. There were no objections.

Due to the pandemic, the Legislature has given towns some flexibility in scheduling Town Meetings and holding elections. (Terms that expire in March will remain until the next vote is scheduled.) Key points of discussion:

- The voters have chosen to have the meetings on Saturday with voting on the following Tuesday.
- Mr. Fuller favors renting a tent and holding the meeting outside in May.
- The meeting could be held on May 8th with voting on May 11th.
- School Board Chair, AnneMarie Redmond, said that the Town of Windsor is planning to hold their Town Meeting on March 2nd. She was concerned about how a May 11th election would affect the school budget, in that Weathersfield is part of the same SU as Windsor.
- Mr. Todd said some decisions are made by the State that we don't have answers to in March.
- Mr. Arrison said that the school formula will be available for March meetings.

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- Mr. Fuller asked Ms. Redmond to put this topic on the next School Board agenda (January 12th). Ms. Redmond agreed.
- Publication of the annual report will be postponed if the meeting is postponed.
- Mr. Fuller would like the school budget and the Town budget to be voted on the same schedule (not separate votes).
- Pushing back the meeting will not affect teacher contracts.
- The Secretary of State has said that an online meeting platform cannot be used as the primary medium for Town Meeting. It can be used as a secondary means of participation, but not the primary, so as to facilitate participation by those who cannot do so virtually.
- It was agreed to not make a decision on this at this meeting.
- Straw poll: Mr. Arrison, Mr. Fuller and Mr. Jarvis favor May 8th; Mr. Todd supports either date.
- Mr. Fuller said the SU budget is voted on by a board that represents the towns in the district – it is not voted on by the public. Each town school budget is voted on by each town as a separate vote. There's no conflict with these budgets. All budget years end on June 30th.
- The only worry is if any of the budgets are voted down on May 8th – is there enough time to amend the budget and get it back before the voters before the end of the fiscal year.

4. **Town Manager Report**

Citizen's Complaint – A complaint was received on November 3rd. All parties involved have been interviewed. Video footage has been viewed and information evaluated.

Mr. Gulnick said if there is an employee, a contractor or an elected official that “has an issue”, that person should immediately contact the Town Manager or the front office and let them know “what’s going on”. He said confrontation is not appropriate. There is a procedure in place for resolving complaints properly.

Mr. Gulnick said the complaint to which he referred could have been resolved differently. He will be sending letters to all parties involved.

Tenney Tree – Earlier this year, the State of Vermont approached Mr. Gulnick about removing the Tenney tree. Since that time, the Principal Clerk and he have been holding meetings with members of the Conservation Commission, the Historical Society and four Tenney relatives. Information gathered has been conveyed to the State. The relatives have decided what they would like to see as a memorial to Romaine Tenney. He will be meeting with the State later this week to discuss hiring an architect, (artist?), and a construction company. He plans to hold workshops at Martin Memorial Hall this spring

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with the Tenney relatives and the State of Vermont to develop the content for the display boards. Anyone wishing to attend these workshops is urged to contact the Town Office. The cost of the project will be negotiated with the State. Mr. Gulnick said the State seemed confident that they can meet the requests of the Tenney family (concrete slab with an overhang and display boards beneath).

Everyone has agreed that the tree should come down.

Mr. Gulnick will speak with the State this week and let them know what the Tenneys are requesting.

The State has offered to preserve parts of the tree for anyone that would like a part of it. Mr. Jarvis said he is interested in having a part of the tree. He said he knows some people who would be interested in this project in the event that help is needed in getting materials off the ground. Mr. Gulnick said he would contact Mr. Jarvis tomorrow (Tuesday, 1/5/2021).

LGERG – (The grant that is to cover COVID-19-related expenses between March 1st and December 31st) The grant was deposited in the Town's account on December 23rd. We have been fully reimbursed for our COVID expenses. As of January 1, 2021, there are no further funds available at this time. We have made wise purchases and should be alright for a bit, but we will need to be careful.

Fire Department Contracts and Budget – Town administration has met several times with AVFD since the last Selectboard meeting. In these meetings each section of the contract is reviewed with discussions back and forth as to how to make each one work. There are some areas that the department would like to see modified. Mr. Gulnick will compile a list of the requested modifications and get it to the board at either the next meeting or the meeting after that.

AVFD has provided to the Town their accounting records. Work has begun on combining them with the Town's records. They have reviewed the reimbursement clause of the contract to learn how it will be carried out. All expenses will now be invoiced to the Town for payment. They will flow through the Town's internal controls the same way as all budget departments operate.

Mr. Gulnick said he is taking AVFD's accounting records and merging them into one fire department budget for Ascutney. West Weathersfield is being separated out, so there will be two different budgets. Those budgets will include all of the department's operation expenses.

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Mr. Gulnick has met with WWVFD and will meet with them again Thursday (1/7/2021).

5. Town Meeting Discussion

(See discussion above.)

6. Revised FY22 Budget Calendar

On the proposed budget calendar, the fire departments are the two last budgets to be presented.

Mr. Todd said the Board needs to wrap up the budgets by January 25th (assuming a March Town Meeting). The Board agreed that an extra meeting may be needed to finish up by that deadline. Mr. Gulnick will facilitate it.

7. Appropriations

The Board received a list of appropriations and a copy of the Social Services Policy.

Points of discussion:

- Requests for less than \$500
- Requests for more than \$500
- First-time requests
- Repeat requests
- Whether a presentation is needed to the Selectboard or the Town Meeting

Susanne Terrill joined the discussion online. Only one request, which wasn't on the list (Cover Home Repair), isn't a 2nd year request. They submitted for the first time last year. Everyone else on the list applied for the second time last year. They all came in and presented or called in to the Board on January 7th.

According to the policy, once approved, the funding is provided for two years. Since Cover Home Repair was approved last year, they are automatically approved for this year.

Windsor County Mentors is requesting \$480. Cover Home Repair is requesting \$400.

Requests of \$500 and over are sent to the voters. Approved requests under \$500 are included in the general fund budget. The Board approves (or not) requests under \$500. There didn't seem to be guidance in the policy on how to approach requests under \$500 that have been previously denied by the Board.

Ms. Terrill confirmed that all the required information had been provided by the agencies making requests for this year.

Motion: To approve the request by Big Heavy World for \$250 under the appropriations budget (within the general fund).

Made by: Mr. Todd **Second:** Mr. Arrison

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The Board asked what Big Heavy World does. Mr. Arrison said he remembered it being something to do with music, that they were located in Chittendon County and that the Board did not feel it had enough to do with Weathersfield to warrant the Town's support. Ms. Terrill stated, "It is a volunteer-run, independent, state-wide music office and archive of Vermont-made music, working to inclusively promote and (?) all kinds of music made across Vermont."

Vote: 1 in favor, 3 opposed (The Chair did not vote)

Motion: To approve all the other outstanding requests for funds \$22,953 (includes \$400 for Cover Home Repair and \$480 for Windsor County Youth Services)

Made by: Mr. Tillman **Second:** Mr. Todd

Vote: All in favor

8. FY22 Highway Department Budget

The proposed budget presentation packet has a title page, table of contents, a list of attachments, a review schedule, and an executive summary for each department's budget.

Mr. Gulnick read the executive summary for the Highway Department budget:

Due to the State of Emergency, the Highway Department is proposing the same tax revenue as FY22. As you will see on Page 4 of this proposal the Highway Department anticipates a \$1,487 increase in State Aid to Highway and a \$23 increase in Permit Revenue. Revenue from other departments decreased by \$1,700 because the Highway Department will no longer contract its employees to conduct Water Operator duties and responsibilities to the Ascutney Water District. The cumulative Fund Balance as of June 30, 2020 for this Department is \$211,257.

There are some fluctuations in expenses which allowed us to absorb our debt service from purchasing the Motor Grader and Dump Truck. Personnel expenses decreased by \$24,303; Office expenses decreased \$185; Utilities decreased by \$158; Highway Garage & Truck Expenses decreased by \$10,00; and Road Materials & Repairs decreased by \$2,500. Our debt service increased by \$38,049, which includes a \$17,575 payment for the 2021 Dump Truck and a \$16,429 payment for the 2021 Motor Grader. The interest has also been accounted for in this budget. There were no variances in Fees & Permits nor in reserves. This budget includes no decreases/additions in the number of workers.

Mr. Gulnick said our books are showing a \$211,000 cumulative highway surplus. However, the auditors are accounting the entire loan payment that we took from ourselves. We are charging the highway budget annually to pay back that loan. The auditors are showing a \$21,000 surplus. Their numbers account for the total loan being paid back in FY20 when we took it out.

Mr. Fuller said it was assumed that the loan would be paid back in five years, not one. He said the money was still there. The loan was for paving the Center Road. Mr. Gulnick said it was - \$199,000. That was to be divided by five and charged to the highway department each year.

Mr. Fuller said the motion was to borrow the money from the reserves, not the highway department annual operating budget.

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Mr. Gulnick said the \$38,000 payment was voted for last year. It was something we carried forward from last year. It was proposed for FY21 and he has similarly proposed it for FY22. He said if this not correct, then the FY21 budget must be changed as well.

Mr. Fuller said, "I don't recall making motions to fund money out of an annual operating budget. It was to borrow off our reserve accounts which were \$1M."

Mr. Gulnick agreed and said the \$38,000 is being paid back to the reserves. Mr. Stapleton said the Town borrowed money from the general reserves. It should show the \$190,000 going from the general reserves and the highway fund paying back \$38,000 every year for the next five years. But the auditors took the full \$190,000 out of the highway department in one year. The motion was to take the \$190,000 from the general reserves.

Mr. Fuller said this is why the Town should restrict its borrowing from a bank. When we borrow from ourselves, "the books become very muddy". He said it is not worth the small savings in interest payments, especially when the interest rate is as low as it is right now. "Let the bank be the bank, not the Town be the bank."

Mr. Fuller said the surplus in the highway fund has been \$100,000 for two years in a row.

Mr. Todd asked for clarification of where the money was to be borrowed from. Mr. Fuller said the Town has about \$1M in reserves. Mr. Todd asked if the money had been taken from these accounts or only from the highway budget. Mr. Stapleton said, "The paper trail – according to the auditors – shows we took \$190,000 from the highway department to pay for paving. We're now paying it back with interest." He said there appears to be no paper trail showing the funds were taken from the general fund surplus. Mr. Fuller said it was not from a surplus, but from a reserve account. Mr. Stapleton said it shows all of the money coming from the highway department in one year. Mr. Fuller said that was bizarre. He said that's the risk when we borrow from our reserve accounts. He said it appears that the \$200,000 surplus in the highway budget was used as a loan to pay for the paving. It was not taken from the reserve account. Mr. Stapleton said that was what the auditors did – he doesn't know what the Town did.

Mr. Tillman said the auditors don't do our books. He recommended going back in the record to find the original motion and then speak to accounting to find out what actually happened. Mr. Fuller asked that the appropriate minutes be made available to the Board at the next meeting.

Mr. Arrison had questions on the revenue side: \$211,257 audited fund balance – is that 100% of the audited fund balance from last year? Mr. Gulnick said it is the cumulative surplus in the highway budget as of June 30, 2020 (FY20). Mr. Fuller said that's an 18% surplus. He asked if \$190,000 of that is being taken out for the loan. Mr. Gulnick said it is important to figure out why there is a surplus – where did it come from? More revenue? Less expenses? Savings? He said the variances between FY18 and FY20 show how it happened. Analysis of those records will help prevent future accumulations as large as these.

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Mr. Fuller said there are some assumptions involved in stating that the department is asking for the same amount of taxes for the FY22 budget. It assumes the Grand List is the same; the difference in taxes between FY18 and FY21 is close to \$100,000 more in taxes from people and nearly half of the cumulative surplus. The dump truck payment is \$17,000; the grader payment is \$16,000; the 2% pay raise is (approx.) \$7,000; if we have the same budget we had a year ago that generated \$100,000 surplus, we still have \$60,000 that we're looking for – other wise we're going to generate another surplus.

Mr. Stapleton said last year there were low fuel prices; it was a light winter with no overtime; not a high salt budget; and the Board put a spending freeze on the department, so he didn't buy extra tires, blades, and extra chains that he usually buys at the end of the year for the next year.

Mr. Fuller said he was not proposing "big cuts", but rather he was trying to learn what is needed and to give the department what is needed. But generating that big of surplus every year is not acceptable.

Mr. Arrison said that by using the \$211,257 surplus in the revenue line, it guarantees a \$0.04 tax increase next year, because that money won't be there next year. Mr. Fuller disagreed. Mr. Gulnick pointed to "Audited Fund Balance Carry Forward – Rev" (\$211,257) and then to "Audited Fund Balance carry forward – expense" (\$210,164) it shows the total amount expensed out to the reserves.

Mr. Fuller remembered in previous years the administration asking to put highway surplus funds into the two highway reserve accounts.

This budget includes \$33,000 for reserves (as a separate article) and \$50,000 for paving.

Mr. Stapleton said he had \$50,000 for paving in this year's budget that won't be spent and that needs to be moved to a reserve for next year. \$50,000 in next year's budget will still leave him about \$30,000 short. Mr. Arrison said he understood the plan, but the funds should show as being accumulated and not as an expense.

Mr. Fuller said that State law requires surplus highway funds be spent for their intended purpose the following year. He strongly objects to accumulating any surplus funds.

The Highway Equipment Acquisition reserve has \$135,000 in it. The Highway Capital Maintenance and Improvements reserve has \$75,716. Mr. Stapleton said \$40,000 from the sale of the truck and an additional \$35,000 were used to buy the new dump truck (all coming from the wheel fund). Mr. Gulnick said \$30,500 can be taken from the surplus or the reserve toward purchase of the grader – that's up to the Board. Approximately \$40,000 was to be taken from the fund balance to go toward the grader.

Mr. Stapleton said he is not proposing to buy any new equipment this year.

The State Aid figure in the proposed budget is an average over the past five years. We won't have the actual number until after Town Meeting. Mr. Stapleton said it might be wise to keep the surplus intact until we know what the State Aid actual amount will be.

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Mr. Arrison agreed.

Mr. Todd said he had a problem with the fund balance increasing by \$90,000 every year. Mr. Stapleton said four years ago the Board adopted a policy that calls for 13-15% of the highway budget to be held in the fund balance at all times. Once that cap is reached, anything over should be spent or put into the reserves. Mr. Fuller said he had not seen that policy, but vowed to have a copy by the morning.

Mr. Jarvis felt the funds should be placed in a reserve account and distributed as needed. Mr. Fuller agreed.

Mr. Fuller asked if there is anything at the garage that needs funding? Mr. Stapleton said the roof membrane needs repairs. But he said the Capital reserve is “Capital Infrastructure” – it is not for buildings. Board members asked to see that as they did not agree.

Mr. Fuller asked Mr. Gulnick to find out if the paving loan was drawn from the \$211,000 surplus or was it to be drawn from the general fund reserves.

The Board agreed to hold on this budget until this fact is known.

9. FY22 Town Clerk Budget

Mr. Fuller asked how department budgets were formulated. Mr. Gulnick said he and FloAnn met twice and FloAnn met with Rosalie. The numbers were reviewed and “everything looks good for the Town Clerk’s office”. The budget document shows one column of figures proposed by the department and one proposed by the Town Manager. These columns are the same for the Town Clerk’s budget. (They may differ in other departments.)

The budget proposes a 6% wage increase. Mr. Gulnick did a compensation study, a copy of which was provided to the Board. Based on appropriate comparisons, the average annual salary is \$41,273 – Weathersfield pays \$42,717. The average hourly rate is \$25.43 – Weathersfield is paying \$27.38. However, Mr. Gulnick said he could justify the requested pay increase. Years of service was not included in the data and he felt it should be. FloAnn currently works 30 hours a week, which would change the proposed hourly rate to \$30/hour, similar to the Treasurer.

Mr. Fuller said he would prefer that all employees receive the same pay increase. The Town has come a long way in the past 5-10 years in trying to upgrade compensations and he wants to remain even.

Mr. Arrison said if the salary is to be raised to \$45,494, then the position should be 40 hours a week.

Mr. Todd did not favor the proposed increase, nor did Mr. Jarvis. Mr. Arrison said he wanted to see more accurate presentation of salary vs hours worked. Some people on salary are working many more hours than they are paid for. Mr. Tillman said things to be

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the same across the board.

Because the Clerk is elected, the Board cannot dictate the number of hours per week that the Clerk must work. The Board only controls the salary.

Mr. Gulnick was asked to re-do the budget using a 2% increase and 30 hours per week.

10. FY22 Listers Budget

Mr. Gulnick did a compensation study for the listers office.

The budget numbers before the Board apparently needed to be changed - \$8,000 for benefits needed to be removed and the listers are asking that the line item for town parcel mapping be shared between the listers, the general fund, and land use, which would reduce that line by \$4,000.

In the past, compensation for all three listers was under one line. They each work different hours and have different salaries. In this budget, the three positions were broken out separately.

The listers are proposing a \$12,000 in their budget for FY22.

Mr. Fuller said the Board had been told that the listers had decided that they wanted to change the distribution of their hours. He asked how will voters know which lister position they are voting for with this new change. (The proposed budget show Lister 1 at 10 hours/week; lister 2 at 32 hours/week and lister 3 at 4 hours/week.)

Mr. Tillman asked for confirmation that the listers were increasing the total hours. Mr. Gulnick said the listers had decided amongst themselves to change their hours. Mr. Tillman asked if they work in the Town Office; if there was a job description for each position; and do they all do the same thing. Mr. Gulnick said he could ask them.

Ms. Terrill said there are no job descriptions for elected positions.

Mr. Fuller suggested researching what the Town voted on for listers.

The compensation studies show that Weathersfield pays far more than most towns in the State, but Mr. Arrison said the towns with very low pay may be paying someone else to actually do the work. He said Cavendish voted out their listers a few years ago and now NEMRC does the work.

At 9:00 Mr. Fuller asked for a motion to extend the meeting.

Motion: To extend the meeting by 30 minutes.

Made by: Mr. Todd **Second:** Mr. Tillman

Vote: All in favor

Mr. Todd felt the Town should have some authority over the distribution of hours.

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Mr. Tillman said that if the listers want to increase their hours they need to come with a proposal to itemize and justify the request.

Mr. Arrison said he wanted to be on the record as opposed to putting anyone into a benefit position.

Currently lister 1 was reduced from 24 hours to 13; lister 2 has always been at 8 hours; lister 3 increased from 13 to 28 hours. (Listers 3 and 2 are reversed on the budget document.) Ms. Terrill said the hours for lister 2 have not actually been worked. She has worked 8 hours per year on average for the past 3 years.

The Board tabled this budget until corrected numbers can be provided. They also asked for information on NEMRC services.

11. FY22 Land Use Budget

The land use budget proposes an \$8,865 increase in tax revenue. Land Use Administrator compensation would increase by \$10,166 to move the position from 25 hours/week to 33.5 hours/week. The increase in hours was unanimously approved by the Planning Commission. No benefits are needed.

The legal budget is decreased by \$2000 because the LUA is licensed to practice law in Vermont.

The budget will increase by \$2000 if it shares the cost of Town parcel mapping.

Mr. Tillman said he wants to know what's not getting done that would justify the increase in hours.

The hourly rate would remain the same.

Mr. Todd said he has heard complaints that people cannot easily reach the LUA.

Mr. Fuller said he does not support the increase in hours to 32, but would be willing to compromise at 29 or 30 hours. He said he felt it was a waste of time for the LUA to sit in on Planning Commission meetings as the Commission is competent on its own.

Mr. Fuller understood that the Town had received a \$20,000 grant to digitize the zoning records. Apparently, there was a "mix up" on the grant and it could not be used for this work.

Mr. Arrison felt it unwise to lower the legal budget. Mr. Fuller agreed.

At 9:30 PM, Mr. Todd motioned to extend the meeting another 10 minutes. Mr. Tillman seconded the motion and all were in favor.

12. Move next meeting from January 18th, 2021 to January 19th, 2021

See discussion above.

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13. Appointments

No appointments were requested and none were made.

14. Approve Warrants

Motion: To approve the warrants for 1/4/2021 as follow:

General Funds	Operating Expenses	\$10,941.69
	Payroll	\$14,236.11
Highway Fund	Operating Expenses	\$14,980.15
	Payroll	\$12,389.84
Solid Waste Management Fund		
	Operating Expenses	\$2,085.67
	Payroll	\$1,606.46
Library	Operating Expenses	\$900.00
	Payroll	\$1,938.51
Grants	Operating Expenses	\$
Special Revenue	Operating Expenses	\$
Reserves		\$
Long Term Debt		\$
Grand Totals	Operating Expenses	\$28,907.51
	Payroll	\$30,170.92

Made by: Mr. Arrison **Second:** Mr. Todd

The Board questioned the \$1,675 cost of towing a plow truck that had slid off the road (check #223342, Twin Line Towing). They asked to see the invoice and agreed to hold the check until their questions had been answered.

Amendment to the motion: Remove check #223342

Vote: All in favor

15. Any Other Business

The Veterans Memorial Committee has a reserve fund that was set up for the purpose of creating a memorial. The memorial is now complete but now it has to be maintained. deForest asked if there could be an article on the next ballot to change the purpose of the reserve fund from creating the monument to maintaining it. It was agreed that the original article must first be located before deciding the proper course of action.

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16. Adjourn

Motion: To adjourn the meeting

Made by: Mr. Tillman **Second:** Mr. Todd

Vote: All in favor

The meeting adjourned at 9:41 PM.

Respectfully submitted,
deForest Bearse

WEATHERSFIELD SELECTBOARD

N. John Arrison, Selector

David Fuller, Chairperson

Joseph Jarvis, Clerk

Paul Tillman

Michael Todd, Vice- Chairperson