

TOWN OF WAITSFIELD
SELECTBOARD MEETING
Monday, August 12, 2024
6:30 P.M.

Please see note below for access

I. Call to Order: 6:30 PM

1. Agenda additions, removals, or adjustments per 1 V.S.A. § 312 (d) (3) (A).
2. Public Forum

II. Regular Business.

1. Liquor License Approval -
2. Festival Permit Application Approval -
3. Local Hazard Mitigation Plan Update and Approval
4. Conservation Commission - Sinuosity contract for Scrag trail planning
5. FY 2024 Budget Status update
6. Animal Control Ordinance, Dog Control Ordinance, and Animal Control Officer job description
7. Personnel Policy - review updates and adopt
8. Hiring Update: Next Steps
9. Select Board Roundtable
10. Consent Agenda:
 - a. Consider Approving the Minutes of 6/24/24 and 7/8/24
 - b. Bills Payable and Treasurer's Warrants
 - c. Liquor license warrants
11. Executive Session
 - a. Enter Executive Session pursuant to 1 V.S.A. § 313 (a) (3) [Personnel]
12. Pursuant to 1 V.S.A § 313 (a) (1) find that premature general knowledge of confidential attorney- client communications made for the purpose of providing professional legal services to the public body would clearly place the public body or a person involved at a substantial disadvantage
 - c. Enter Executive Session pursuant to 1 V.S.A. § 313 (a) (1F) [Confidential attorney-client communications]

V. Other Business.

1. Correspondence/reports received

VI. Adjourn.

***PLEASE NOTE: Public Access to this meeting will be hybrid, remote via Zoom or in person at the Waitsfield Town Office. For remote access, please use the following link:**

<https://us02web.zoom.us/j/82056117089>

Meeting ID: 820 5611 7089

By phone: 1 (929) 205-6099

Anyone wishing to speak can do so during the designated times, as indicated by the chair

ALL TIMES ARE APPROXIMATE

Waitsfield Town Offices • 4144 Main Street • Waitsfield, VT 05673

Chach Curtis * Fred Messer * Christine Parisi, *Chair* * Brian Shupe, *Vice Chair* * Larissa Ursprung

Town Administrator: Vacant (802) 496-221 townadmin@gmavt.net or waitsfieldselectboard@gmavt.net

1 Administrative Report for August 12, 2024 Meeting

2 Local Hazard Mitigation Plan: The LHMP is the Emergency Planning Guideline for the Town. It
3 identifies potential hazards such as flooding, fire, pandemic illnesses, roads and more, and
4 mitigation actions for these potential emergencies. The LHMP is required for ERAF, The
5 Emergency Relief and Assistance Fund. ERAF provides State funding to match FEMA Public
6 Assistance after federally-declared disasters. Alice Peal and Keith Cubbin from CVRPC will be
7 on hand to provide information and answer any questions.

8 Sinuosity Contract: trail planning at Scrag be approved by the Selectboard. This contract will
9 give us the detailed information needed to pursue grant funding for phases 2 and 3 of the Scrag
10 trail plans, to seek bids for trail construction, and also secure any needed permits. Sinuosity
11 consulted with overall trail planning for Scrag and for the implementation of phase 1, which has
12 been completed. Curt Lindberg and/or John Donaldson will be at the meeting to help with

13 FY 2024 Budget Status Update: Sandy Gallup has provided a memo.

14 Personnel Policy: I have included a copy of the policy, which includes the suggested updates.

15 ACO/Dog Control Ordinance: Subsequent to our last discussion, I realized that statute changes
16 which had taken effect July 1, 2024, affected our current ordinance. Reading through VLCT's
17 model policies, it appeared to be less complicated to adopt an update Dog Control Ordinance as
18 well as a Domestic Animal Control Ordinance. While there is some overlap, it seemed that the
19 documents would be easier to work with if we were to adopt both in tandem rather than
20 combining them. Also, in reviewing the Select Board work plan, it became apparent that part of
21 the ongoing discussion relates more to the Animal Control Officer job description (and
22 enforcement) rather than the ordinance(s) themselves. I have included that for review and input.

23 Other updates: ARPA funds – I have been doing some follow up on the town obligation of our
24 remaining funds. As part of the 4/29/24 consent agenda, the Select Board approved a resolution,
25 which had been drafted with input from VLTC. I have not been able to locate evidence that the
26 board saw this resolution as part of the approval process or signed the document after approval.
27 The resolution also applies to expenses that were part of the FY 2024 budget, but the ARPA
28 funds were not properly coded and applied to the FY 2024 budget. Given that the budget has
29 been closed out, it would likely be easier to rescind the resolution and find new expenses towards
30 which to obligate the funds. Sandy Gallup and I have been discussing the possibility of using
31 them towards various road department capital expenses: i.e. early payment of the grader, the
32 hydraulic press, and expenses incurred as a result of July 10, 2024 flood damage.

33 Donaldson hydrant: I have been in touch with legal counsel about preparing an easement per the
34 select board's earlier request/condition for moving this project forward. Once that has been
35 completed we can obtain a permit for work in the town Right of Way. Depending on timing, we
36 can budget for project completion as part of FY 2026 or identify the money in current WFFD
37 reserves.

38 Town Office Maintenance Plan: I have reviewed records related to this issue, which is a task on
39 the select board priority list that has yet to be completed. It appears as though there was an

earlier effort to solicit proposals for property management. A number of the originally identified tasks are currently attended to by various vendors, while others continue to receive little to no attention. My suggestion at this time is for the board to review the earlier proposals, identify the remaining needs, and issue a new request for a property manager with a more limited scope. While this will be an ongoing expense, it would provide the town with an entity who can attend to ongoing maintenance needs, and who will have access to various contractors who can provide services as needs arise. Having a single point of contact for a new Town Administrator would likely simplify this aspect of the job.

Town wide – reappraisal: The Select Board approved the listers’ RFP in 2021. For various reasons, the RFP was not circulated, and in the ensuing time, the town has received notice from the state that we have met conditions which trigger the need for a town wide reappraisal. I have reached out to the Chair of the Listers Board about updating the RFP for circulation.

East Warren Road Culvert/Trees – I was contacted by an abutting property owner about the town’s earlier agreement to plant trees by the new East Warren Road culvert. This is per a condition of an easement that was obtained for the purpose of the work. I have been in contact with a local nursery with the hopes of getting this done in the current planting season.



Waitsfield, Vermont

2024 Local Hazard Mitigation Plan



Waitsfield Ball Field-2011

FEMA Approval Pending Adoption Date:

Municipal Adoption Date:

FEMA Formal Approval Date:

*Prepared by the Waitsfield Hazard Mitigation
Planning Team*

Ira Shadis, Friends of the Mad River Executive
Director

Fred Messer, Waitsfield Selectboard chair/Emergency Management Director

Clare Ireland, Waitsfield Emergency Management Coordinator

Luke Foley, Friends of the Mad River, Climate and
Engagement Manager

Alice Peal, Waitsfield Planning
Commission

Technical Assistance by the Central Vermont Regional Planning Commission



Key Partners

Winooski Natural Resources Conservation District / Friends of the Mad River /
Central Vermont Clean Water Service Provider / VT Agency of Transportation District 6
/ VT Department of Health / Central VT Floodplain Manager

1 INTRODUCTION

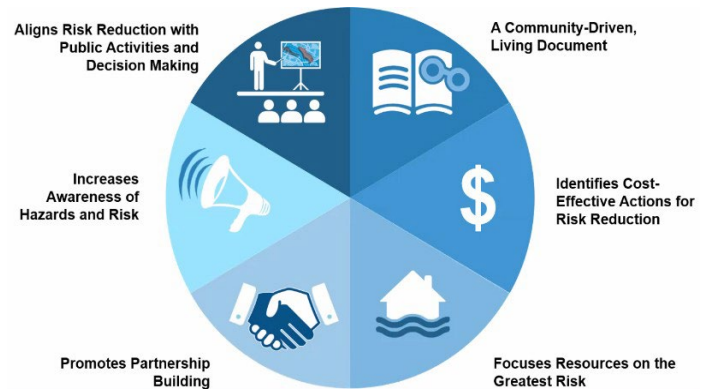
Mitigation planning provides an opportunity for local government to lessen the impact of the next natural disaster. The goal of this plan is to advance and prioritize mitigation investment to reduce risks posed by natural hazards and to increase the Town of Waitsfield's resilience to damages from natural hazard impacts.

Hazard Mitigation is any sustained policy or action that reduces or eliminates long-term risk to people and property from the effects of natural hazards. FEMA and state agencies have come to recognize that it is less expensive to prevent disasters than to repeatedly repair damage after a disaster has struck. This plan recognizes that opportunities exist for communities to identify mitigation strategies and measures during all the other phases of Emergency Management – Preparedness, Response and Recovery. While the hazards can never be completely eliminated, it is possible to identify what the hazards are, where their impacts are most severe, and identify local actions and policies that can be implemented to reduce or eliminate the severity of the impacts.

2 PURPOSE

The purpose of this plan is to assist the town in identifying all-natural hazards facing the community, ranking them according to local vulnerabilities, and developing strategies to reduce risks from those hazards. Once adopted, this plan is not legally binding; instead, it outlines goals and actions to prevent future loss of life and property. The intention is to create a multi-year pathway to mitigating hazards within the community.

The benefits of mitigation planning include:



Source: FEMA LHMP Skill Share Workshop 2021

Furthermore, the Town seeks to be in accordance with the strategies, goals, and objectives of the 2023 State Hazard Mitigation Plan.

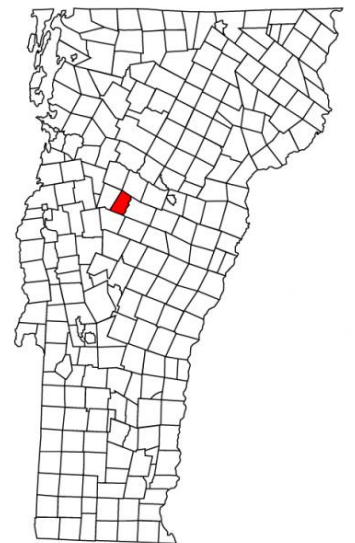
3 COMMUNITY PROFILE

Land Use and Development Patterns

The Town of Waitsfield is a small, rural, residential, and tourism-based community located in the southwestern portion of Washington County. It is bordered by Moretown and Duxbury to the north, by Fayston to the west, by Warren to the south, and Northfield to the east.

According to the 2023 Waitsfield Town Plan, the town charter was granted in 1782. It was first surveyed in 1788 with settlers following a year later. Many water powered mills fed by the Mad River and its tributaries fueled the early development of the town.

Waitsfield nestled between the main range of



the Green Mountains and the Northfield range is drained by the Mad River. Waitsfield Village, is the only state designated village with in the town. Irasville and Waitsfield Village are the main economic areas within the town with multiple stores and restaurants.

Outside of the villages, residential development in Waitsfield has a rural character. Much of the town still has active agricultural lands. Residential structures throughout the town are a mix of year-round residences and seasonal homes largely due to the close access to Sugarbush and the Mad River ski destinations.

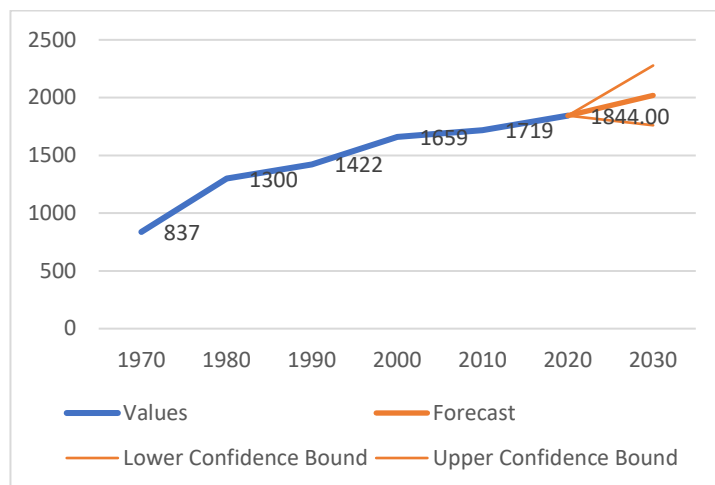
Land Features

Waitsfield's landscape is defined by forested mountains, the Mad River and many of its tributaries. This varies from river bottom farm fields to steep slopes of the Northfield Range to the East. The town lies at the base of the eastern slopes of the Green Mountain Range. Elevation ranges from 620 feet at its lowest elevation to 2867 at Scragg Mountain on the town's eastern edge.

Several extensive land areas are owned by the State and the town including Camel's Hump State Forest, Wu Ledges, Lareau Park, Mad River Park and Scragg Mountain Town Forest.

Demographics and Growth Potential

The 2020 Decennial Census prepared by the U.S. Census Bureau shows an estimated population of 1,844 and 1,049 housing units. Over 50 years of steady growth the trend within Waitsfield is expected to continue.



Source: Census data with excel projection of expected growth

Between 2010 and 2020, the median age of Waitsfield has increased by 2.3 years; 48.2 is the median age, higher than the Vermont median age of 43.2. The portion of the population over 65 is 44.8%, compared to 21.6% in Vermont and 16% in the country. The population density of the town is 68.6 people per square mile compared to an overall state density of 68.

Waitsfield's growth potential is limited by a lack of developable land and access to sewer utilities to allow greater density. Revitalizing existing infrastructure and properties, encouraging mixed-use development, and repurposing underutilized spaces offer the greatest opportunities for growth in Waitsfield.

Of Waitsfield's two designated growth areas, Irasville and Waitsfield Village makes up one area and has the most potential for new residential development. The other area is between Airport Road and North Fayston Road. The rural countryside also lacks access to public utilities and much of the property is either owned, rented, or leased. The town is trying to address this by undertaking a Wastewater planning project focusing on the Irasville and Waitsfield Village area. This would allow for a great density of development within the areas served by this system. This directly aligns with the State's guidance for development in villages with walkability. Also addressing climate change by attempting to limit vehicle miles travelled by increasing density and walkability. . Waitsfield recently adopted new ByLaws that allow a third story, smaller lot sizes

and setbacks to facilitate in fill housing and Business development in the “downtown” area, Irasville.

Precipitation and Water Features

Average annual precipitation is 45 inches of rain; with July being the wettest month. Average annual snowfall is 102 inches; with February being the snowiest month.

The Mad River and its many tributaries (High Bridge Brook, Mill Brook, Pine Brook, and Shepard Brook) are the major water features in Waitsfield.

Drinking Water and Sanitary Sewer

Public drinking water is supplied by Waitsfield Municipal Water System which is managed by the Waitsfield Water Commission. This system provides water to 250 businesses, dwellings, and municipal organizations with 28 hydrants for fire protection. All other structures and residences are served either by private wells or springs.

Municipal sanitary sewer service is being studied for the Waitsfield Village and Irasville area. This is still in the planning phase as the town is trying to acquire funds for construction. The Wastewater plant should have a robust Emergency Action Plan to prevent accidental discharges during extreme weather events.

Transportation

Waitsfield is ±40 square miles in size with primary access via Vermont Route 100, a north-south minor arterial route, and VT Route 17, running East-West connecting Route 100 with Route 4 south of Vergennes.

The 2023 VTrans Town Highway data indicates that Waitsfield has 29.67 municipal road miles: No miles of Class 1; 9.45 miles of Class 2; 20.22 miles of Class 3; 5.94 miles of Class 4 (or functionally Class 4). Of the total municipal road miles, ±26% are paved and 74% are gravel. In addition, there are 7.83 miles of State highway in Waitsfield, for a total of ±43 traveled highways, including Class 4 roads.

According to the Town’s 2023 road erosion inventory, 47% of Waitsfield’s Road mileage is hydrologically connected - meaning it is within 100-feet of a water resource (i.e., stream, wetland, lake, or pond). Proximity to water resources can make these sections of road more vulnerable to flooding and fluvial erosion. These sections must be up to the standards created for the Municipal Roads General Permit program with a requirement of 7.5% of non-compliant segments being upgraded per year.

According to the Town’s 2023 bridge inventory, Waitsfield has a total of 8 municipal bridges – 2 short structures (6’-20’ length) and 6 long structures (>20’ length). The town’s 6 long structures are inspected every two years by VTrans through the Town Highway Bridge Program.

Waitsfield has a total of 277 culverts in the municipal road right-of-way; all were inventoried in 2020 by the Central Vermont Regional Planning Commission. Several culverts were listed in critical or poor condition and ideally been considered for replacement and/or upgrade in accordance with Town Road and Bridge Standards. The local road network is maintained by the municipal highway department, whose garage is located on Trembly Road.

Electric Utility Distribution System

Electric service to approximately 1034 accounts is provided by the State of Vermont Department of Public Safety. Average annual outage statistics between 2017 and 2019 are summarized in Table 1.

Table 1: Power Outage Summary

Average Annual(2017-2019)	
% of customers who lost power was in a year	8.02
Avg number of outages greater than 24 hours	8

This data has limitations to its accuracy due to the State of Vermont and many of the utilities not tracking outage data at the town level.

Public Safety

Fire protection is provided by the Waitsfield Fayston Volunteer Fire Department, an all-volunteer organization. The Fire Department is a member of the Capital Fire Mutual Aid Association. Law enforcement is provided by the Washington County Sheriff's department and the town constable, with support from Vermont State Police. The nearest hospital is the Central Vermont Medical Center which is a half hour drive from the center of town. There are limited routes available for travelling out of the valley to the hospital, each of these routes can become compromised during a flooding event cutting off the valley from these services except by air transport. Ambulance services are provided by Mad River Ambulance service a volunteer ambulance service. Continuing this model as the town grows and experiences demographic changes may present issues as far as long-term sustainability. Especially based on overall trends nationwide of securing volunteers.

Emergency Management

Per the Town's Local Emergency Management Plan (LEMP), currently the Emergency Management Director (EMD) is a member of the Selectboard and is assisted by the town Emergency Management Coordinator an appointed position. They work with others in town to keep the LEMP up to date and coordinate with nearby towns and regional emergency planning efforts.

Vulnerable Populations

Waitsfield has multiple vulnerable communities within the town's boundaries. Residents who have medical needs and are residing in their homes can choose to be listed in the CARES (citizen assistance registration for emergencies) program. The town Emergency Management director can access this list from the Vermont Emergency Management Watch officer. Also, there are two facilities that deal with Senior Housing: Evergreen Place and Mad River Meadows. The town also has the Waitsfield School, Spring Hill School, Waitsfield Children's Center, and the Neck of the Woods day care.

Finally, the Vermont Park Mobile home park. These communities are all called out and addressed in the town Local Emergency Management Plan.

4 PLANNING PROCESS

Plan Developers

The Town assembled a Hazard Mitigation Planning Team to participate in updating the Plan. Team members included: Selectboard member (local EMD), Emergency Management Coordinator, representative of the Planning Commission, and Friends of the Mad River staff.

The Central Vermont Regional Planning Commission (CVRPC) assisted the Town with this Plan update. FEMA Building Resilient Infrastructure and Communities (BRIC) funds supported this process.

Plan Development Process

The 2023 Local Hazard Mitigation Plan is an update to the 2017 single jurisdiction mitigation plan. A summary of the process taken to develop the 2023 update is provided in **Table 2**.

Table 2: Plan Development Process

Nov 1, 2023: Kick-off meeting. Discussed what an LHMP is; benefits of hazard mitigation planning; current plan status; planning process; outreach strategy; and plan sections. Planning Team working meetings were not open to the public.

Nov 29, 2023: Planning team working meeting. Discussed outreach plan and plan for holding public forums. Reviewed possible locations for public forum and next steps.

Feb 2024: To notify the Whole Community* of the plan update, the Town posted physical and online notices. Physical notices were posted at the Town Office, Waitsfield Post Office, Mehuron's Market, Joslin memorial library, and Shaw's Grocery. Online notices were posted on the Town website (waitsfieldvt.us) and Front Porch Forum.

*Whole Community stakeholders include: 1) local and regional agencies involved in hazard mitigation; 2) entities with authority to regulate development; 3) neighboring towns; 4) representatives of business, schools/academia, and other private organizations that sustain community lifelines; and 5) representatives of nonprofit organizations that work directly with or provide support to vulnerable populations.

CVRPC posted online notices on the CVRPC website (centralvtplanning.org). CVRPC also direct emailed notice to 1) officials (Selectboard and Planning Commission chairs, Town Managers and Clerks, Emergency Management Directors) in neighboring towns of Fayston, Moretown, Warren, and Northfield.

2) Key Partners Mad River Planning District, Winooski Natural Resources Conservation District, Hardwood Unified School District, Central Vermont CWSP, VDH Regional Emergency Preparedness Specialist, VTrans District 6 Projects Manager, Central VT Floodplain Manager). Notice included CVRPC contact for information on planning process and opportunities for public input – see **Appendix C**.

Feb 2024: To solicit input from the Whole Community, the Town utilized a survey (see **Appendix D**) and hosted an in-person Community Workshop on Feb. 29th with 4 town members in attendance. Comments were accepted and incorporated. Specifically mud season conditions and limited access to residents due to these conditions. The Town provided notice of the survey and workshop by posting physical notices at the Physical notices were posted at the Town Office, Waitsfield Post Office, Mehuron's Market, and the Joslin memorial library. Online notices were posted on the Town website (waitsfieldvt.us), and Front Porch Forum. There were 3 residents in attendance. Mud season conditions were brought up as a hazard to accessing residences and was incorporated into the plan.

CVRPC posted online notices on the CVRPC website of the opportunity to provide input on where each hazard might impact the Town; assets most likely to be affected; and preferred types of mitigation actions (Sections 5 and 6). CVRPC also direct emailed notice of the survey and February Workshop to local officials in neighboring towns and Key Partners – see **Appendix C**.

March 25, 2024: Planning Team working meeting discussing mitigation actions and drafting team will submit additions and will meet again to review (Section 6). Also discussed sections 1-3, and 5 drafts.

April 25, 2024: Planning Team working meeting discussing mitigation actions and to review at public meeting (Section 6). Discussion of process moving forward.

May 21, 2024: Met with Planning Commission to review mitigation actions and score for prioritization and cost benefits to the community in a public meeting with 8 residents in attendance. Comments were accepted and incorporated into the plan.

June 26, 2024 Met with planning team and reviewed mitigation actions and finalized list of actions for implementation.

In addition to the local knowledge of Planning Team members and other relevant parties, several existing plans, studies, reports, and technical information were utilized in the preparation of this Plan. A summary of these is provided in Table 3

Table 3: Existing Plans, Studies, Reports & Technical Information

2017-2019 VT DPS Power Outage Data Used to develop Table 1 in Section 3.

2024 Zoning Ordinance Referenced to develop Community Capabilities, Integrating into Existing Plans and Procedures, Mitigation Strategy Updates – Changes Since 2017 Plan in Section 6.

2020 US Census Data Used to develop the Demographics and Growth Potential information in Section 3.

2023 State of Vermont Hazard Mitigation Plan Primarily referenced to develop the risk assessment and profiles in Section 5.

2017 FEMA Region 1 Mitigation Ideas for Natural Hazards Used to develop mitigation actions to address impacts from severe winter storms, high wind, and floods.

2023 Road Erosion Inventory Referenced to develop the risk profile in Section 5 and mitigation actions to address floods in Section 6.

2019 Central Vermont Stormwater Master Plan Duxbury, Fayston, Moretown, Waitsfield, and Warren Referenced to develop the risk profile in Section 5 and mitigation actions to address floods in Section 6.

2013 FEMA Mitigation Ideas Resource for Reducing Risk to Natural Hazards Used to develop mitigation actions to address impacts from severe winter storms, high wind, and floods.

VTrans Town Highway Bridge Inspection Reports Referenced to develop the risk profile in Section 5 and mitigation actions to address floods in Section 6.

National Oceanic and Atmospheric (NOAA) National Climatic Data Center's Storm Events Database Referenced to develop the risk profile and hazard history in Section 5.

FEMA Disaster Declarations for Vermont Referenced to develop the risk profile and hazard history in Section 5.

Vermont Department of Health Referenced to develop the risk profile in Section 5.

Vermont Department of Conservation Stream Geomorphic Assessments-Structures Used to identify bridges and culverts that are undersized and prone to failure mitigation actions to address floods in Section 6.

Vermont Agency of Natural Resources Natural Resources Atlas Referenced to develop the risk profile in Section 5.

2021 Vermont Climate Assessment Referenced to develop the flood risk profile in Section 5.

2023 Local Emergency Management Plan Primarily used to identify local organizations that support vulnerable populations to ensure these organizations are invited to participate in the plan update.

2020 Structures Inventory (culverts and short structures) Referenced to develop the risk profile in Section 5 and mitigation actions to address floods in Section 6.

2023 FEMA NFIP Insurance Reports Used to determine how many structures are insured, number of repetitive loss properties, and describe NFIP compliance in Section 6.

Mitigation Assistance Program Policy Guide Used to ensure plan meets the Federal mitigation planning requirements, including those for addressing climate change.

Vermont Dam Inventory (VDI) Referenced to develop the risk profile in Section 5 and mitigation actions to address floods in Section 6.

2023 Waitsfield Town Plan Referenced to develop Community Capabilities, Integrating into Existing Plans and Procedures, Mitigation Strategy Updates – Changes Since 2017 Plan in Section 6.

2023 FEMA Local Mitigation Planning Handbook Used to ensure plan meets the Federal mitigation planning requirements, including those for addressing climate change.

VTrans Transportation Resilience Planning Tool Referenced to develop the risk profile in Section 5 and mitigation actions to address floods in Section 6.

Mitigation Strategy Update - Changes Since 2017

The 2017 local hazard mitigation planning effort analyzed natural hazards and the risk they posed to the Town of Waitsfield. The risk assessment resulted in the categorization of High, Medium and Low risk level hazards. Floods and fluvial erosion; dam failures and ice jams; hurricanes and severe storms; and winter storm, ice storms, extreme cold with power outages; were ranked as the community's High-risk natural hazards. Actions proposed in 2017 focused on mitigating risks from flooding due to their frequency and severe nature.

As the Town has sought to implement the 2017 mitigation strategy, they have looked for opportunities to incorporate information and recommendations from the 2017 Plan into other plans, programs, and procedures. They were successful in doing so in recent Town Plan and Zoning Ordinance updates.

The Waitsfield Town Plan, adopted in 2023, serves as the Town's framework and guide for reaching community goals, including those for how future growth and development should proceed.

It includes flood resilience and land use policies and actions to support the goal of mitigating risks to public safety, critical infrastructure, historic structures, and municipal investments posed by flooding and fluvial erosion.

The Town Plan is the basis for local land use controls such as those in the Waitsfield Zoning Bylaws, amended in 2020 and currently undergoing another amendment update. Waitsfield Zoning Bylaws includes Flood Hazard Area and Fluvial Erosion Hazard Overlay Districts to ensure the selection, design, creation, and use of development in these hazard areas is reasonably safe and accomplished in a manner that is consistent with public wellbeing, does not impair stream equilibrium, flood plain services, or the stream corridor.

In addition, Waitsfield made significant progress in completing other mitigation actions identified in the 2017 Plan – see Appendix B.

They have much to be proud of and noteworthy mitigation accomplishments are highlighted below.

Improvements to the town roads especially in culvert upsizing and the Mad River Valley Stormwater Master Plan has helped to make town roads and infrastructure more resilient to flash flooding and fluvial erosion have achieved the intended results and performed well during the July and December 2023 storms. These mitigation investments have 1) strengthened the community's Transportation lifeline; 2) reduced risk to infrastructure; and 3) supported Town efforts to comply with the Municipal Roads General Stormwater Discharge Permit and protect water quality by controlling erosion and stormwater runoff from municipal roads.

Generators have been installed at the Town Office building; local shelter at the elementary school, Waitsfield-Fayston Fire station, and at Mad River Valley Ambulance. These mitigation investments have 1) strengthened the community's Energy; Communications; and Food, Water, Shelter lifelines; 2) reduced risk to people during power outages and 3) provide continuity of emergency and vital town services during power outages.

Actions taken by Waitsfield since 2017 have made the community more prepared and less vulnerable to future natural hazard impacts.

As described in the Community Profile above, Waitsfield's population has been in a steady growth cycle and growth potential is believed to be limited by a lack of public sewer utilities that would allow a greater density.

Changes in population and development since 2018 have not made Waitsfield more vulnerable to

natural hazards. Rather changing weather conditions most influenced the Town's current mitigation strategy.

Climate change is increasing the frequency, duration, and intensity of storms, floods, fires, and extreme temperatures across the nation. Local communities are feeling the impacts of climate change now, and these multi-hazard trends are expected to continue to increase in severity over the next century¹.

As a result, Waitsfield considered the effects of future conditions, like climate change, on the type, location, and range of intensities of identified hazards when they conducted the risk assessment in 2024. The highest risk hazard impacts that the Town believes they are most vulnerable to remained essentially the same as those from 2017:

Floods associated with thunder and/or winter storms and ice jams.

Extreme cold, snow, and ice associated with severe winter storms;

Landslides, slope failure, severe erosion
Invasive Species, plant and animal

In addition to the traditional natural hazards assessed in 2024, the Town also considered infectious disease and invasive species to align with the hazards identified in the 2023 State Hazard Mitigation Plan.

The primary mitigation goal in the 2024 Plan is to increase the Town's resilience to natural hazards by advancing mitigation investment to reduce or avoid long-term risk to people, homes, neighborhoods, the local economy, cultural and historic resources, ecosystems, and Community Lifelines.

When evaluating mitigation actions, the Town selected actions that support the mitigation goal and are acceptable and practical for the community to implement. Actions that directly benefit a vulnerable

¹ FEMA Hazard Mitigation Assistance Program and Policy Guide, March 23, 2023.

population were assigned a high prioritization score – see Table 6.

*This plan defines a natural hazard as a source of harm or difficulty created by a meteorological, environmental, or geological event.

FEMA Local Mitigation Planning Handbook, May 2023

5 HAZARD IDENTIFICATION AND RISK ASSESSMENT

Local Vulnerabilities and Risk Assessment

One of the most significant changes from the 2017 Plan is the way hazards are assessed. To be consistent with the approach to hazard assessment in the 2018 State Hazard Mitigation Plan, the Hazard Mitigation Planning Team conducted an initial analysis of known natural hazard events* to determine their probability of occurring in the future (high probability events are **orange** in Table 4).

The Team then ranked the impacts associated with the natural hazard events based on 1) probability of occurrence and 2) potential impact to people, infrastructure, the environment, and local economy.

This assessment considered the effects of future conditions, like climate change, on the type, location, and range of intensities of identified hazards.

The ranking results are presented in Table 4 and reflect the following **highest risk hazard impacts** that the Town believes they are most vulnerable to:



Floods associated with thunder and/or winter storms and ice jams.



Extreme cold, snow, and ice associated with severe winter storms.

Each of the **highest risk hazard impacts** are profiled in this section. Lower risk hazard impacts do not justify mitigation due to a low probability of occurrence and/or low impact and are not profiled in this Plan. See the State Hazard Mitigation Plan for information on the lower risk hazards.

Table 4: Community Hazard Risk Assessment

*Score = Probability x Average Potential Impact

2024 Hazard Mitigation Plan - Hazard Assessment							
Hazard Impacts	Probabilit	Potential Impact					Score*:
		Infrastructur	Life	Econom	Environmen	<u>Average</u>	
Fluvial Erosion	4	4	3	4	4	3.75	15
Inundation Flooding	4	4	3	4	4	3.75	15
Ice	3	3	3	3	2	2.75	8.25
Snow	4	2	3	3	1	3.00	12.00
Wind	3	2.5	2	2	2	2.125	6.38
Heat	3	1	2	1	1	1.25	3.75
Cold	3	1	2	1	1	1.25	3.75
Drought	3	1	1	3	3	2	6.00
Landslides	3	3	1	3	2	3.00	9.00
Wildfire	2	2	2	2	2	2.00	4.00
Dam Failure	2	3	2	3	3	2.75	5.5
Hail	2	1	1	2	2	1.5	3.0
Earthquakes	1	1	1	1	1	1	1.00
Invasive Species	4	2	1	2	4	2.25	9.00
Infectious Disease Outbreak	2	1	3	2	1	2.25	4.50
Ice Jam Flooding	3	3	2	3	2	2.75	8.25
*Score = Probability x Average Potential Impact The town chose the top two to develop mitigation actions to prioritize.							

	Frequency of Occurrence: Probability of a plausibly significant event	Potential Impact: Severity and extent of damage and disruption to population, property, environment, and the economy
1	Unlikely: <1% probability of occurrence per year	Negligible: isolated occurrences of minor property and environmental damage, potential for minor injuries, no to minimal economic disruption
2	Occasionally: 1–10% probability of occurrence per year, or at least one chance in next 100 years	Minor: isolated occurrences of moderate to severe property and environmental damage, potential for injuries, minor economic disruption
3	Likely: >10% but <75% probability per year, at least 1 chance in next 10 years	Moderate: severe property and environmental damage on a community scale, injuries or fatalities, short-term economic impact
4	Highly Likely: >75% probability in a year	Major: severe property and environmental damage on a community or regional scale, - multiple injuries or fatalities, significant economic impact

IMPACT DEFINITIONS

INFRASTRUCTURE IMPACTS: (Effects on Roads, Bridges, Structures, Homes)

- 1 – Minor: Localized/Isolated impacts to Infrastructure (Temporary loss of use)
- 2 – Moderate: Neighborhood level impacts (1-2-day loss of use)
- 3 – Severe: Community-wide impacts (2-5-day Loss of use)

- 4 – Disastrous: Regional losses of roads, bridges, homes (Extensive replacement/rebuild)

LIFE SAFETY ISSUES: (Health and Welfare of Population)

- 1 – Minor scrapes/injuries
- 2 – Occasional Hospitalization required due to injuries
- 3 – Multiple hospitalizations required and/or fatality
- 4 – Community-wide hospitalizations and/or fatalities

ECONOMIC IMPACTS: (Direct recovery costs to municipality and residents)

- 1 – < \$10,000 in damages (Can generally be handled within budget or via insurance)
- 2 – \$10,000-\$100,000 (May require assistance for the uninsured or large impact on local budget)
- 3 – \$100,000-\$1,000,000 (Requests of assistance/FEMA eligible)
- 4 – > \$1,000,000- (All resources used, Possible National Guard use)

ENVIRONMENTAL IMPACTS: (Effects to municipal operations and environment)

- 1 – Negligible: Short term impacts, low clean-up costs for spills
- 2 – Minor: Moderate clean-up costs, temporary redirection of municipal resources
- 3 – Moderate: Extended redirection of local resources/ impacts to normal operations, high clean-up costs
- 4 – Major: Long-term recovery efforts (could take years for full recovery or permanent loss of use)

Highest Risk Hazard Profiles



Floods (fluvial erosion, inundation, dam failure) can damage or destroy property; disable utilities; destroy or make impassable roads and bridges; destroy crops and agricultural lands; cause disruption to emergency services; and result in fatalities.

People may be stranded in their homes for a time without power, heat, or communication or they may be unable to reach their homes. Long-term collateral dangers include the outbreak of disease, loss of livestock, broken sewer lines or wash out of septic and wastewater systems causing water supply pollution, downed power lines, loss of fuel

storage tanks, fires, and release of hazardous materials.

As noted in the 2023 State Hazard Mitigation Plan and 2021 Vermont Climate Assessment, the most common recurring hazard event impacting Vermont communities is flooding. There are two types of flooding: inundation and flash flooding. Inundation is when water rises onto low lying land. Flash flooding is a sudden, violent flood which often entails stream bank erosion (fluvial erosion).

Inundation flooding of land adjoining the normal course of a stream or river is a natural occurrence. If these floodplain areas are in their natural state, floods likely would not cause significant damage. However, most business districts within Vermont

are built within this floodplain due to the historical significance of water power.

While inundation-related flood loss can be a significant component of flood disasters, the more common mode of damage in Vermont is fluvial erosion, often associated with physical adjustment of stream channel dimensions and location during flood events. These dynamic and often catastrophic adjustments are due to bed and bank erosion of naturally occurring unstable stream banks, debris and ice jams, or structural failure of or flow diversion by human-made structures.

Damage from high flows is the single most costly type of disaster in Vermont, primarily due to the erosive power of water. Many roads and culverts conflict with the room needed by streams and rivers.”
2021 Vermont Climate Assessment

Several major flooding events have affected the state in recent years, resulting in multiple Presidential Disaster Declarations. From 2003 to 2019, Washington County experienced roughly \$88.82 million in municipal property damage due to flood events. The totals from the most recent July 2023 flood event are still being totaled at the time of this writing.

The worst flooding event in recent years to strike the town of Waitsfield came in August of 2011 from Tropical Storm Irene (DR4022), which dropped up to 5-7+ inches of rain in some areas of Washington County. Irene caused 2 deaths and \$60 million in reported property damages and \$2.5 million in crop damage in Washington County alone. Luckily the July 2023 flooding event that is the worst to affect the State and region since the Flood of 1927 primarily missed the Mad River valley, where the town only received ~5” of rain during this event and had minimal flooding within the town.

The December 2023 rain on snow flooding caused localized flooding in the town but the mitigations actions that were implemented post Irene helped to prevent any large damages, limiting the effects to minor flooding of low-lying areas and road closures due to inundation. For a short period of the event the town was almost cut off and had to adjust medical transport to the local hospital to avoid inundation areas. The effects of these storms are profiled in this flooding section.



Flood of 1998

The town is concerned with the increased temperatures in winter seasons brought on by climate change. The increase in temperature fluctuations and associated precipitation is worrisome of rain on snow events impacting the region and specifically the town of Waitsfield due to its location and associated mountains. The snowpack can become hazardous due to the rapid melting from rain on snow and sudden warming, fueling extreme and rapid runoff.

Waitsfield is vulnerable to inundation flooding primarily along the Mad River. A wide range of assets are at risk from inundation flooding in these areas. There are 14 buildings in the FEMA floodway; as well as roads, culverts, bridges well as roads, culverts, bridges, and two water wells listed for public establishments on the Vermont ANR map viewer.

With inundation flooding, there are cascading impacts involving infectious disease as floodwater can contain numerous types of infectious agents and host insects that transmit disease. Mosquitos, for example, breed in standing water and when their population increases, so does the risk of diseases they transmit – such as West Nile Virus.

Flash flooding can occur any time the area has heavy rain. It can impact areas that are located outside of designated floodplains, including along streams confined by narrow valleys (also known as River Corridors). Again, a wide range of assets are at risk from flash flooding. (outside of designated floodplains); as well as roads, culverts, bridges, and dams.

The most common type of flash flood damage is road washouts. When runoff volumes exceed the capacity of the stormwater collection system (ditching and culverts), washouts can occur.

The town's structures and road erosion inventories as well as VTrans highway flood vulnerability and risk tools were used to help identify locations and assets at risk from flash flooding.

Sections of several roads have a history of flash flooding – Route 100 in 2 locations Folsom Brook and Mill Brook, Meadow Road, and Tremblay Road. The locations all show as at risk of inundation or fluvial erosion in the Vermont Transportation Resiliency Planning Tool.

Culvert failures and road washouts can have a significant negative impact on the Town. Especially if they occur on roads considered locally important routes for through-traffic, short-cuts, detours, and/or access to critical facilities – such as VT Route 17, VT Route 100,

East Warren Road, North Road, and Common Road.

When roads are impacted by flooding, the Town coordinates with the fire department, town road crew and State dispatch to close roads and set up detours. Road closures can create longer commute times and longer emergency service response times.



Brook Road Storm Damage – May 2011

In addition to stormwater runoff from roads, ice jams and dam failures can result in flash flooding in Waitsfield. Ice jams on the Mad River and Mill Brook in the vicinity of VT Route 17/100 intersection and in the Waitsfield Village just upstream of the covered bridge are possible, with impacts to the roads and the Waitsfield Village.

Dams

There are two dams in Waitsfield listed in the Vermont Dam Inventory (a database managed by the VT Dam Safety Program containing spatial, structural, historic, and regulatory information on

dams in the state). One is classified as low hazard potential and one is a breached dam. None of the dams are owned by the town and there are no high hazard potential dams in Waitsfield. The low hazard potential dam is the Sugarbush Snowmaking pond dam which is owned and maintained by the Sugarbush resort. This dam, as well as the walls of the snowmaking pond, are vulnerable to migration of the Mad River channel, which runs parallel to the pond. On three occasions, the river has avulsed into the snowmaking pond, damaging both the walls of the pond and the dam. The change in flow of the river deposited 45,000 yards of material into the snowmaking pond and cost \$600,000 to clean up, as reported by a local newspaper. Specific flows or water levels are not measured at the dam. Although the dam has not failed to date, release of the impounded water in the pond threatens to exacerbate flood damage downstream during flood events.

There is one high hazard potential dam upstream of Waitsfield in the town of Warren. It is the Warren Lake Dam, an earthen dam on the Mills Brook a tributary of the Mad River. This dam was built in 1983 and is 530 ft long and 35 ft high and has a normal storage of 350-acre feet and a maximum storage of 1567 acre feet. The drainage for the lake is 595 acres. The last reported inspection of the dam on the ANR dams inventory site was 11/13/2020 and lists the dam as in fair condition. There appears to be no Emergency Action Plan for this location. Most likely the extent of a dam failure would be within the .2 % chance of flood zone of the FEMA flood maps with an active EAP and modeling this could be better understood.

Community survey respondents ranked damages to roads and bridges as particularly important (7 out of 7) to protect against future severe weather impacts.

Flash flooding often entails stream bank or fluvial erosion. Several existing studies were used to help identify locations and assets at risk from fluvial erosion, specifically, a 2008 Phase 2 Stream Geomorphic Assessment for the Mad River watershed and the Central Vermont Stormwater Master Plan completed in 2019.

Stream Geomorphic Assessments (SGAs) provide information about the physical condition of streams and factors that influence their stability. The 2008 Mad River watershed SGA identifies priority locations for river corridor protection, planting stream buffers, stabilizing stream banks, removing berms, and removing/replacing human-placed structures (i.e., dams, bridges, culverts).

Stormwater Master Planning (SWMP) involves identifying stormwater, sediment, nutrient, and septic inputs to waterways and designing projects to mitigate those inputs; either eliminating them at the source through green stormwater infrastructure, septic system improvements, back road projects or improving floodplain access within the stream network to increase sediment attenuation.

The 2019 Central Vermont SWMP (Waitsfield) recommended 20 projects to reduce environmental impacts of nutrient and sediment loading to the Mad River, as well as mitigate flood vulnerability to municipal or state road and drainage infrastructure.

As demonstrated in the above referenced studies, environmental impacts from flooding can be significant, especially to the water quality in the Mad River and the Winooski River. This can in turn have an adverse impact on local tourism and recreation. Flood events with associated road closures can also have a short-term impact on the

local economy due to fewer shopping trips and commuter delays.

Extent of risk to the town is found in the special flood hazard area for inundation flooding. Fluvial erosion is much more diverse and found near any stream channel either perennial or ephemeral/intermittent and damages can start to road infrastructure with as little as .5"/hour and increases with longer durations.

Floods Hazard History

These are the most up to date significant events impacting Waitsfield. Federal declarations are depicted in **bold**.

12/18-19/23: 2" of rain on snow event
7/11/2023: DR4720 5-9" rain: \$Still to be determined
 7/20/2021: Heavy rain: \$50,000 county damages
 7/14/2020: 3-4" rain: \$5,000 town damages
 11/1/2019: 2-4" rain: \$250,000 county damages
 6/20/2019: Heavy rain: \$25,000 county damages
 5/20/2019: Heavy rain: \$25,000 county damages
4/15/2019: DR4445 1" rain with significant snow melt:
7/1/2017: DR4330 3-4" rain the previous 3-4 days with flash flooding on 7/1/17: \$240,000 county damages
 7/19/2015: Heavy rain: \$1,000,000 county damages
4/15-18/2014: DR 4178 heavy rain on snow event \$250,000 county damages
6/25-7/10/2013: DR4140 1-3" of heavy rain over a half hour: \$625,000 county damages
8/28/2011: DR4022 Tropical Storm Irene with 3-7" rain: \$75,000,000 Public county damages
5/26-27/2011: DR4001 3-5+" rain on snow event: \$5,500,000 county damages
5/20/2011: DR4043: Heavy rain: \$400,000 county damages
4/23-5/9/2011: DR4043 rain on snow event: \$1,000,000 county damages

19 buildings are in the Special Flood Hazard Area (2% of community structures); mostly single family dwellings and businesses.

According to FEMA, 74% of these properties have flood insurance. In total, these 14 policies cover \$350,000 in value.

There are 4 repetitive loss properties with 2 of them being insured.

As weather patterns shift and we see larger storms and more frequent freeze-thaw cycles, the town will monitor for signs that rivers that have historically been stable becoming less stable, with increased erosion, widening, trees falling in from its banks, etc.



Landslides: A landslide is the sliding of a large mass of rock, earth, or debris, down a sloped section of land. Landslides can be caused by rainstorms,

fires, alternate freezing or thawing and/or by the steepening of slopes by erosion or human modification. In Waitsfield, landslides tend to occur or are exacerbated by fluvial erosion as most of the landslides occur on or near a stream bank, or during extreme wet conditions in areas of clay substrate.

Landslides have three major causes: geology, morphology, and human activity. Geology refers to characteristics of the material itself. The earth or rock might be weak or fractured, or different layers may have different strengths and stiffness.

Morphology refers to the structure of the land. For example, slopes that lose their vegetation to fire or drought are more vulnerable to landslides. Vegetation holds soil in place, and without the root systems of trees, bushes, and other plants, the land is more likely to slide away.

Human activity, such as agriculture and construction, can increase the risk of a landslide. Irrigation, deforestation, excavation, and water leakage are some of the common activities that can help destabilize, or weaken, a slope.

The Town of Waitsfield has 37 landslide locations within the town as listed on the Vermont Agency of Natural Resources Landslide map that was last updated in 2020.



Landslide on Mill Brook at town boundary

Total damages for landslides are not tracked well within the State of Vermont since often landslides are in association with Fluvial Erosion the damages are often lumped together there. With the increase in precipitation trends due to climate change the risk from landslides is increasing. This can be addressed through land use regulations and mitigation of surface runoff from human actions and development.

Currently the Mill Brook slide along the town boundaries of Waitsfield and Fayston is a problem area and may have to be mitigated to prevent a larger slump into the Mill Brook that could impede the waterway.



Severe Storms with Snow and Ice events typically occur between the months of December and March in the Central Vermont Region. They

can include snow, sleet, freezing rain, or a mix of these wintry forms of precipitation. Events can

also be associated with strong wind or floods, increasing the potential hazard.

Ice storms are characterized by ice accretion from freezing rain, which can weigh down trees and power lines, causing outages and potentially occurring in conjunction with flooding in rain on snow events. Ice storms can occur alone or in conjunction with snow storms, blizzards, and extreme cold. Significant accumulations of ice can cause hazardous conditions for travel, weigh down

Extreme Cold, Snow, and Ice Hazard History

These are the most up to date significant events impacting Waitsfield. Federal declarations are depicted in **bold**.

1/11-14/2022: 10-40 below zero with winds: no reported damages
 12/18/2021: 5-7" snow \$10,000 county damages
 1/16/2021: 3-6" wet snow: \$50,000 county damages
 3/23/2020: 7-10" snow: \$5,000 county damages
 2/7/2020: 10-16"; ¼" ice: \$20,000 county damages
1/16/2020: DR 4474 6-10" snow: \$10,000 county damages
 3/22/2019: 9" snow: \$25,000 county damages
 2/12/2019: 7-15" snow: \$10,000 county damages
 1/29/2019: 6-10" snow: \$10,000 county damages
 1/19/2019: 10-18" snow: \$25,000 county damages
 1/8/2019: 8-20+" snow: \$25,000 county damages
 11/26/2018: 6-14" heavy snow: \$125,000 county damages
 3/13/2018: 12-30" snow: \$20,000 county damages
 3/7/2018: 7-13" snow: \$10,000 county damages
 1/7/2015: 0-10 degrees with wind of 15-30 mph creating wind chills colder than 20-30 below zero: no reported local damage
12/9/2014: DR4207 10-20" snow: \$250,000 county damages

trees and power lines, and cause power outages. Freezing rain can also be combined with mixed precipitation and snowfall, hiding ice accumulation and further hindering travel. Ice accumulation on waterways is associated with the potential for ice jams and flooding.

The NOAA breakdown based off of light winds, under 10 mph for ice accumulation:

- .25 inch, isolated power outages
- .50 inch, widespread outages
- .75 inch, major damage
- 1.0 inch, devastating damage

Severe winter storms bring the threat of heavy accumulations of snow, cold/wind chills, strong winds, and power outages that result in high rates of damage and even higher rates of expenditures. A heavy accumulation of snow, especially when accompanied by high winds, causes drifting snow and very low visibility. Sidewalks, streets, and highways can become extremely hazardous for pedestrians and motorists. Severe winter storms develop through the combination of multiple meteorological factors. In Vermont and the northeastern United States, these factors include the moisture content of the air, direction of airflow, collision of warm air masses coming up from the Gulf Coast, and cold air moving southward from the Arctic.

The costs of these storms come in the form of power outages due to heavy snow or ice, damaged trees, school closings, and traffic accidents. From

2014 to 2022, Washington County experienced \$585,000 in property and crop damage from winter storms.

There have been two winter storm-related federally declared disasters in the county (the ice storm of January 2020 – DR 4474; and December 2014 DR 4207).

Extreme cold can have impacts on public health and safety, especially if extreme temperatures coincide with power outages, which can cut off heat and communication services. Severe winter storm impacts can put vulnerable populations (e.g., older adults, children, sick individuals, pets) at even greater risk.

See the strong wind profile below for more information about the town's vulnerability to power outages.

Snow accumulation typically does not result in loss of road accessibility. The town's fleet of snowplows ensures all roads are accessible, even in major accumulation events. Roads adjacent to critical facilities are well maintained and along with connector routes, are prioritized in winter storm events.

Environmental impacts are predominantly tree damage. Extreme snow and ice events typically have a short-term impact on the local economy – fewer shopping trips and commuter delays.

In the last 50 years the largest historical event was in 2014 DR4207 with up to 24" of wet snow that caused widespread power outages and vehicle accidents. Extent of Ice is harder to track but 0.5" of ice can add 500 lbs. of extra weight to power lines. Ice can cause a 30% increase the weight of tree branches. Anything greater than a 0.25" of ice will start to cause power outages and greater than 0.50" causes widespread tree and power line damage with dangerous and impassable roads

WSSI Descriptor	General Description of Expected Storm Severity Impacts
None	No snow or ice forecast. No potential for ground blizzard conditions.
Limited	Small accumulations of snow or ice forecast. Minimal impacts, if any, expected. In general, society goes about their normal routine.
Minor	Roughly equates to NWS Advisory Level criteria. Minor disruptions, primarily to those who were not prepared. None to minimal recovery time needed.
Moderate	Roughly equates to NWS Warning Level criteria. Definite impacts to those with little preparation. Perhaps a day or two of recovery time for snow and/or ice accumulation events.
Major	Significant impacts, even with preparation. Typically several days recovery time for snow and/or ice accumulation events.
Extreme	Historic. Widespread severe impacts. Many days to at least a week of recovery needed for snow and/or ice accumulation events.



Strong wind can occur alone, such as during straight-line wind events, or it can accompany other natural hazards, including severe thunder and/or winter storms.

High winds pose a threat to the safety of Waitsfield's citizens and property. The National Weather Service (NWS) issues a wind advisory

when winds are sustained at 31 to 39 mph for at least one hour or any gusts 46 to 57 mph. Sustained winds of 40 to 73 mph or gusts of 58 mph or higher cause the NWS to issue a High Wind Warning.

FEMA's National Risk Index defines strong wind as damaging winds that exceed 58 mph. Strong wind poses a threat to lives, property, and vital utilities primarily because of flying debris or downed trees and power lines.

From 1996 to 2022, wind events caused more than \$1.270 million in property damage in Washington County, with \$450,000 due to one event in December 2022.

Strong wind is possible here; Waitsfield is susceptible to high directional winds town wide. Many storms with high winds result in downed trees as well as damaged phone and power lines, buildings, and other property.

Downed trees within the road right-of-way are the root cause of many power outages. Roads that pass through dense wooded areas are prone to downed trees, which often can lead to fallen power lines.

Power outages are the main reason for disrupting communications, which are crucial in times of crisis. For example, the loss of phone service is of particular concern for Waitsfield's vulnerable populations and residents. Landline phones that have been converted from copper wire to fiber rely on an in-home battery back-up. The battery life is typically less than eight hours, whether the phone is used or not. Though many residents use cell phones, longer power outages and damage from high winds further complicating the problem of contacting emergency services during power outages.

Telecommunications are also needed for warning systems before a disaster, as well as for response

during and recovery after. During a disaster, municipal response is managed by the local Emergency Operations Center (EOC), this would include all communications – from phone calls to internet browsing and 2-way radio.

To mitigate the impacts of power outages, the following public buildings/critical facilities have been equipped with backup power or generator hookup: Water supply pump house, fire station, Mad River ambulance, and Waitsfield elementary school (as the emergency shelter).














The public buildings lacking backup power are the town garage.

In addition to power outages, downed trees during strong wind (and heavy snow/ice) events can damage buildings and other property and in rare cases result in fatality. One hundred percent (100%) of community survey respondents reported having seen areas in the community damaged during a past severe weather event. The most common type of damage that survey respondents reported seeing was downed trees. Seventy-one percent (71.4%) of community survey respondents reported having experienced damage during a past severe weather event.

Environmental impacts are predominantly tree and roof damages. Strong wind events with associated power outages can have a short-term impact on the local economy due to business closures.

Vermont's Emerald Ash Borer infestation was first detected in 2018 in northern Orange County. The potential risk to public and private structures and impacts on the local economy have not been quantified. But the impact of invasive pests has a real economic effect on landowners and utilities in dealing with dead trees and their potential to cause damages.

Beaufort Scale

Beaufort number	Wind Speed (mph)	Seaman's term		Effects on Land
0	Under 1	Calm		Calm; smoke rises vertically.
1	1-3	Light Air		Smoke drift indicates wind direction; vanes do not move.
2	4-7	Light Breeze		Wind felt on face; leaves rustle; vanes begin to move.
3	8-12	Gentle Breeze		Leaves, small twigs in constant motion; light flags extended.
4	13-18	Moderate Breeze		Dust, leaves and loose paper raised up; small branches move.
5	19-24	Fresh Breeze		Small trees begin to sway.
6	25-31	Strong Breeze		Large branches of trees in motion; whistling heard in wires.
7	32-38	Moderate Gale		Whole trees in motion; resistance felt in walking against the wind.
8	39-46	Fresh Gale		Twigs and small branches broken off trees.
9	47-54	Strong Gale		Slight structural damage occurs; slate blown from roofs.
10	55-63	Whole Gale		Seldom experienced on land; trees broken; structural damage occurs.
11	64-72	Storm		Very rarely experienced on land; usually with widespread damage.
12	73 or higher	Hurricane Force		Violence and destruction.

Strong Wind Hazard History

These are the most up to date significant events impacting Waitsfield. Federal declarations are depicted in **bold**. Damages are to Washington County.

12/23/2022: 50-60+ wind gusts: \$450,000
 10/30/2017: 40 mph wind: \$250,000
 2/26/2010: 55 mph wind: \$15,000
 2/17/2006: 37 mph wind: \$10,000
 9/29/2005: 35 mph wind: \$50,000
 11/13/2003: 35 mph wind: \$10,000
 10/15/2003: 50 mph wind: \$10,000
 3/10/2002: strong wind: \$5,000
 12/12/2000: strong wind: \$5,000
 3/28/2000: strong wind: \$5,000
 9/17/1999: strong wind: \$75,000
 11/23/1998: strong wind: \$10,000
 2/22/1997: 50 mph wind: \$15,000

periods that can follow periods of normal or above normal precipitation. These may last from 2-6 months, and can have profound impacts within the region, on agricultural losses, shortages of water supply and very low stream flows. This pendulum often swings from a dry year to a wet year.

The Town's risk of droughts is mainly addressed through the Ordinances for the Town water supply. Most residents of the Town are on private wells and bear the costs and risks of mitigation themselves. The Town's Water Ordinance has the appropriate language for conserving water and limiting non-essential usage during a drought emergency.



Wildfires are not often much of a concern within our region, although the spring and fall can be times

when dry hazardous conditions exist. Opportunity for wildfires occurs due to the lack of foliage in these seasons, before spring green up or in the fall after foliage has died back when combined with dry conditions. Historically, Vermont has seen the most wildland fires between March and June. These are generally times when dry conditions exist for an extended period causing drought conditions. Ignition of wildfires is predominantly caused by human activity and mainly from debris fires that are not contained or not supervised. Thus, messaging when conditions exist is very important to convince individuals not to make mistakes in relation to ignition sources. This messaging is handled by the town fire warden in association with the fire department.

There have only been small isolated wildfires within the last 50 years within Washington county. But due to the shifting weather patterns due to climate change this should be planned for due to spring and fall risk with flash droughts.



Droughts in the Northeast. We frequently experience what are referred to as "flash" droughts, defined as rapid onset of intense dry



Invasive Species The National Invasive Species Council defines an invasive species as one that is non-native to the ecosystem under consideration and

whose introduction causes or is likely to cause economic or environmental harm or harm to human health. Invasive species can overwhelm native species and their habitats, forcing the native species out. They are considered to pose the second greatest threat to biodiversity globally. Invasive plants in Vermont, such as Japanese knotweed, common reed (*Phragmites*), purple loosestrife, and garlic mustard can change soil composition, change water tables, and disrupt insect cycles. They often lack food value upon which wildlife depends. Some invasive animals prey heavily upon native species while others, such as the alewife and zebra mussel, out-compete native species for food and nutrients with significant impacts reverberating up and down food chains.

Invasive pests such as Emerald Ash Borer (EAB), first found in Vermont in 2018, have serious financial implications for forest landowners and municipalities alike. EAB feeds on ash trees in Vermont, deeply damaging each tree and hindering its ability to move carbohydrates and water resources as necessary. Infected trees will die between three and five years after the introduction of EAB. Productive timber is destroyed by EAB and trees along roads become hazards as they die and disrupt powerlines. Preventative measures can slow the further spread of these insects and protect native ash populations. Additionally, invasive species can directly or indirectly cause harm to human health. Giant hogweed, wild parsnip and wild chervil are three invasive plant species in Vermont that have phytophototoxic properties, meaning direct contact of their sap with human skin can cause a chemical reaction that makes skin hypersensitive to ultraviolet light. Vermonters have received serious skin burns from the toxicity of the sap of these plants combined with exposure to sunlight. Another example is that of Japanese barberry, which has been proven to increase the incidence of Lyme disease by

providing sheltered habitat that increases the abundance of small rodents, which act as hosts to the ticks that carry Lyme disease pathogens.

The risk are invasive species is higher in more disturbed soils and developed areas. But the extent is varied Emerald Ash Borer is more likely to be found in the heavily wooded upland slopes with Japanese knot weed along the river and stream banks. The Town generally will follow the State of Vermont guidance from the Agency of Natural Resources on how to deal with invasives and work with partners to mitigate their damages.



Infectious Disease The Vermont Department of Health defines an infectious disease as one that is caused by micro-organisms, such as bacteria, viruses or parasites. A vector-borne disease is an infectious disease that is transmitted to humans by blood-feeding arthropods, including ticks, mosquitoes and fleas, or in some cases by mammals (e.g. rabies).

According to the Vermont Department of Health, infectious disease dynamics depend on a range of factors, including: land use, human behavior, climate, efficacy of healthcare services, population dynamics of vectors, population dynamics of intermediate hosts and the evolution of the pathogens themselves. Many of these diseases require continuous monitoring, as they present seasonal threats to the general population. An epidemic emerges when an infectious disease occurs suddenly in numbers that are in excess of normal expectancy. Infectious disease outbreaks put a strain on the healthcare system, can cause continuity of operations challenges for local businesses, impact the economy, and interrupt daily life for everyone within a community. These outbreak incidents are a danger to emergency responders, healthcare providers, schools, and the public. Examples include Coronavirus 19 (Covid-19) which was a federally declared disaster DR-4532, influenza (e.g. H1N1), pertussis, West Nile virus, and many other diseases.

Upon consideration of five climate and health reviews, The Vermont Department of Health has separated vector-borne and other infectious diseases into five threat categories (Table 27). More details on this classification system and the diseases can be found in the 2016 Vermont Climate Health Report.

There is no scale or metric for prioritizing infectious disease at the City level. The easiest method would be to track hospitalizations by day increase above the average. Or in a pandemic scenario record of days with closed businesses due to risk of infection.

The primary vulnerability would be to those who are immune compromised, elderly and young populations and are most susceptible to respiratory viruses.

Readers should look to the Vermont Department of Health for more information on significant infectious disease outbreaks, such as epidemics and pandemics. The Town will monitor these for up to date threat information and follow the appropriate protocols developed by these agencies as necessary

Table 27: Threat Categories of Vector-Borne and Other Infectious Disease

Threat Classification	Disease
Diseases already present in Vermont that may be exacerbated by climate change	West Nile Virus
	Eastern Equine Encephalitis
	Lyme Disease
	Anaplasmosis
	Babesiosis
	Tularemia
	Powassan
Diseases that may spread to Vermont even without contribution of climate change, whose spread to and transmission of Vermont could be exacerbated by climate change	St. Louis Encephalitis
	Western Equine Encephalitis
	La Crosse Encephalitis
	Ehrlichiosis
Diseases with vectors that may spread to Vermont by the end of the century under a higher emission scenario	Rocky Mountain Spotted Fever
	Dengue
Disease that have competent vectors or may in the future have competent vectors in Vermont, but are unlikely to become established in Vermont despite a vector presence	Chikungunya
	Yellow Fever
Diseases that may be present in Vermont or may spread to Vermont in the future but whose link with climate changes expected in Vermont is tenuous	Malaria
	Chagas Disease
	Rift Valley Fever
	Battonellosis
	Rabies
Diseases that may be present in Vermont or may spread to Vermont in the future but whose link with climate changes expected in Vermont is tenuous	Hanta Virus
	Leptospirosis
	Plague
	Valley Fever
	Anthrax
	Q Fever

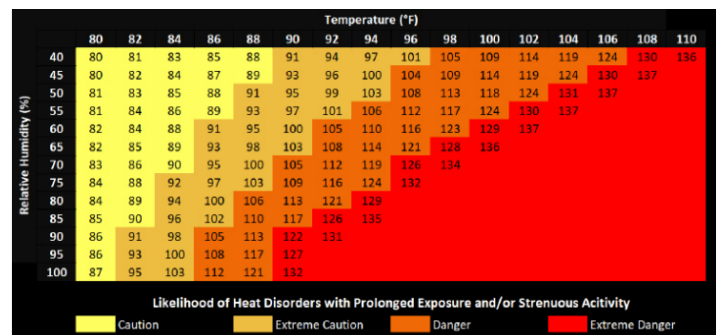
Source: Vermont Department of Health



Extreme heat and cold Heat warnings are becoming increasingly more prevalent due to our shifting climate. Vermont has been seeing an

Increase in 90+ degree temperature days. This trend is expected to continue. Most of our housing stock and individuals are well adapted to dealing with cold temperature, but the quick swings to higher temperatures do not allow for acclimation, and many of our structures are designed to retain, rather than shed, heat.

Epidemiological analyses completed by the Vermont Department of Health indicate that Vermonters are five times as likely to visit the emergency department for heat-related illnesses when the heat index reaches the 80s, 10 times as likely when the heat index reaches the low 90s, and over 20 times as likely when the heat index reaches the upper 90s or hotter. These risks are greatly modified by how acclimated a person is to hot weather – the risk for heat-related health impacts is higher early in the heat season, and lower if it has been consistently hot over the past week or more. Consecutive days of hot weather with warm overnight temperatures further increase the risk of experiencing severe heat-related health impacts. Risk also depends on the “normal” level of heat experienced in an area – places that are relatively cooler will typically experience health impacts at lower heat index values than a place that is relatively warmer.

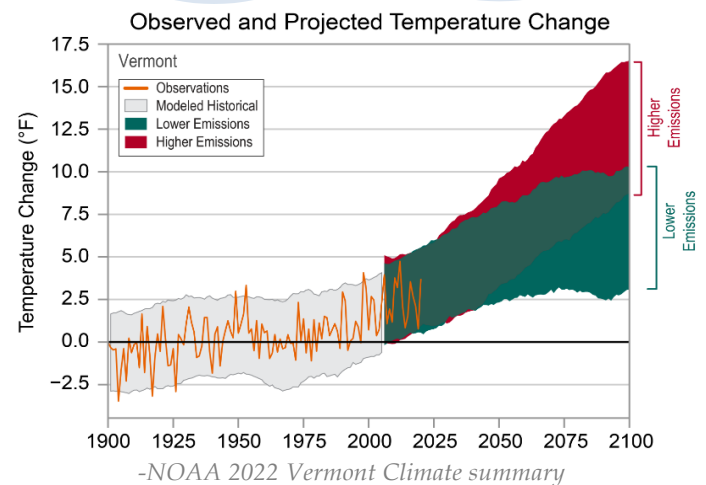
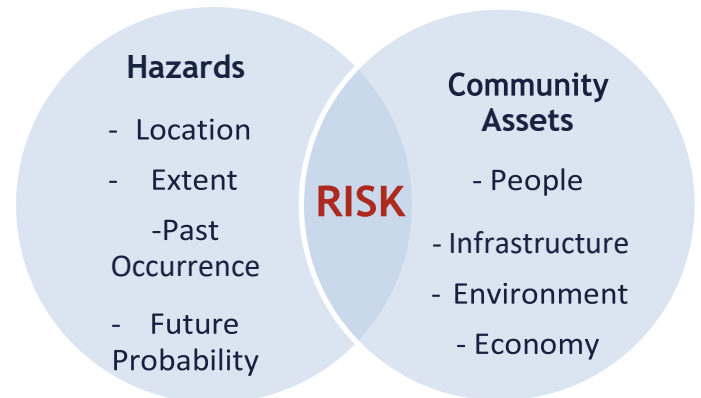


-Hot weather temperature scale

Older adults, people with chronic health conditions, and people with disabilities are at particularly high risk, especially if they live in housing without air conditioning or are unhoused and cannot access cooling facilities and other support resources. The unhoused may not be or feel welcomed at cooling centers, sleep in hot tents, and carry heavy loads of their possessions in the heat.

In the region, extreme cold can still be an issue. If it is a long-lasting cold without snow cover, frost can migrate deep into the ground freezing pipes and heaving roadways. Most of this would be dealt with by the town either through their utility contracts or by the town road crew in keeping the transportation infrastructure in usable condition. Loss of power during one of these cold snaps may require use of the town shelter and is planned for in the town Local Emergency Management Plan.

What constitutes “extreme cold” can vary across different areas of the country based on what the population is accustomed to in their respective climates. Vermont is adapted to cold conditions; however very cold temperatures remain a threat despite their commonality during Vermont winters. For cold weather events the City uses the same sites plus has the capacity to open the Elementary School as an additional shelter if in association with a power outage.



The Hazard Identification and Risk Assessment is the foundation for the Mitigation Strategy to reduce future risk.

With the increasing risks of events from our changing climate, all weather-related natural events are expected to have an increase in both frequency and in intensity. Vermont is predicted to experience increases in heat waves, downpours and flooding.

The Northeastern United States has already seen an increase of seventy one percent precipitation totals increase since 1950 and an increase in extreme weather events. It is imperative that we have solid plans of mitigating future disasters proactively to minimize risk.

		Temperature (°F)																		
Calm		40	35	30	25	20	15	10	5	0	-5	-10	-15	-20	-25	-30	-35	-40	-45	
Wind Speed (mph)	5	36	31	25	19	13	7	1	-5	-11	-16	-22	-28	-34	-40	-46	-52	-57	-63	
	10	34	27	21	15	9	3	-4	-10	-16	-22	-28	-35	-41	-47	-53	-59	-66	-72	
	15	32	25	19	13	6	0	-7	-13	-19	-26	-32	-39	-45	-51	-58	-64	-71	-77	
	20	30	24	17	11	4	-2	-9	-15	-22	-29	-35	-42	-48	-55	-61	-68	-74	-81	
	25	29	23	16	9	3	-4	-11	-17	-24	-31	-37	-44	-51	-58	-64	-71	-78	-84	
	30	28	22	15	8	1	-5	-12	-19	-26	-33	-39	-46	-53	-60	-67	-73	-80	-87	
	35	28	21	14	7	0	-7	-14	-21	-27	-34	-41	-48	-55	-62	-69	-76	-82	-89	
	40	27	20	13	6	-1	-8	-15	-22	-29	-36	-43	-50	-57	-64	-71	-78	-84	-91	
	45	26	19	12	5	-2	-9	-16	-23	-30	-37	-44	-51	-58	-65	-72	-79	-86	-93	
	50	26	19	12	4	-3	-10	-17	-24	-31	-38	-45	-52	-60	-67	-74	-81	-88	-95	
55	25	18	11	4	-3	-11	-18	-25	-32	-39	-46	-54	-61	-68	-75	-82	-89	-96		
60	25	17	10	3	-4	-11	-19	-26	-33	-40	-48	-55	-62	-69	-76	-84	-91	-98		

Frostbite Times

30 minutes

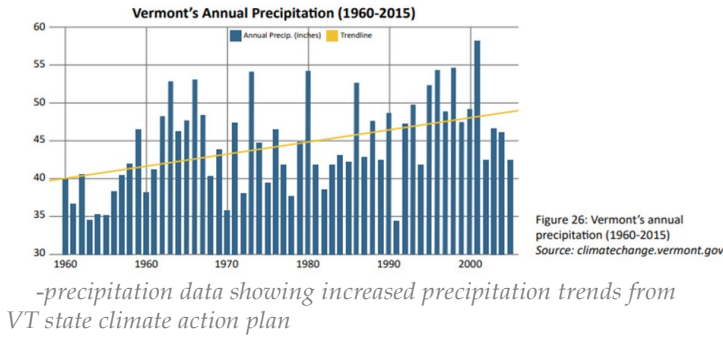
10 minutes

5 minutes

Wind Chill (°F) = 35.74 + 0.6215T - 35.75(V^{0.16}) + 0.4275T(V^{0.16})

Where, T = Air Temperature (°F) and V = Wind Speed (mph)

-cold weather temperature scale w/ wind chill



Increase the Town of Waitsfield's resilience to natural hazards by advancing mitigation investment to reduce or avoid long term risk to people, homes, the local economy, cultural and historic resources, ecosystems, and community lifelines such as transportation, water, sewer, energy, and communications.

See Community Survey results in Appendix C for which assets survey respondents thought were most important to protect against potential future severe weather impacts.

The increase in Atlantic Ocean temperatures as well as the overall climate will create drastic increases in storm potential. This will increase the storm severity indeterminate of the time of year. There should be a realization that due to higher windspeeds and greater moisture capacity many previous records will be exceeded.

6 HAZARD MITIGATION STRATEGY

The highest risk natural hazards and vulnerabilities identified in the previous section of this Plan directly inform the hazard mitigation strategy outlined below, which the community will strive to accomplish over the coming years. The mitigation strategy chosen by the Town includes the most appropriate activities to reduce future risk from potential hazards.

Mitigation Goals

The Hazard Mitigation Planning Team identified the following as the community's primary mitigation goal:

Community Capabilities

Each community has a unique set of capabilities, including authorities, programs, staff, funding, and other resources available to accomplish mitigation and reduce long-term vulnerability. Waitsfield's mitigation capabilities that reduce hazard impacts or that could be used to implement hazard mitigation activities are listed below:

Administrative & Technical This capability refers to the Town's staff and their skills and tools that can be used for mitigation planning and to implement actions. In addition to the Emergency Management staff described in Section 3, municipal staff that can be used for mitigation planning and to implement specific mitigation actions include: Town Administrator, Town Treasurer, Town Clerk, Assistant Town Clerk, Zoning Administrator, Road Foreman, and Road Crew.

In addition to paid staff, there is a 5-member Selectboard, 5-member Planning Commission,

Fire Warden, Town Health Officer, Conservation Commission and Constable.

To augment local resources, the Town has formal mutual aid agreements for emergency response – fire and EMS. Technical support is available through the CVRPC in the areas of land use planning, emergency management, transportation, GIS mapping, and grant writing. Technical support is also available through the State ANR for floodplain bylaw administration and VTrans Districts for hydraulic analyses.

Planning & Regulatory These capabilities are the plans, policies, codes, and ordinances that prevent and reduce the impacts of hazards. Examples of planning capabilities that can either enable or inhibit mitigation include: land use plans, capital improvement programs, transportation plans, stormwater management plans, disaster recovery and reconstruction plans, and emergency preparedness and response plans. Examples of regulatory capabilities include the enforcement of zoning ordinances, subdivision regulations, and building codes³ that regulate how and where land is developed, and structures are built.

Town Plan: December 2023

Description: A framework and guide for how future growth and development should proceed.

Relationship to Natural Hazard Mitigation Planning:

Includes goals and policies related to flood resilience and land use.

Zoning Ordinance with Flood Hazard Area and Fluvial Erosion Overlay District Requirements:

September 2016 Description: Provides for orderly community growth promoting the health, safety, and general welfare of the community.

Relationship to Natural Hazard Mitigation Planning: Site plan review requirements and zoning districts, including Flood Hazard and River Corridor Overlay Districts, with specific standards for proposed development. Requirements are designed to prevent overdevelopment; to mitigate negative impacts to the natural and human environment; minimize

effects to the historical and aesthetic character of the community; and ensure design and construction of development in flood and other hazard areas are accomplished in a manner that minimizes or eliminates the potential for flood loss or damage to life and property.

Road and Bridge Standards: July 2019

Description: Provide minimum codes and standards for construction, repair, maintenance of town roads and bridges.

Relationship to Natural Hazard Mitigation Planning: Standards include management practices and are designed to ensure travel safety, minimize damage to road infrastructure during flood events, and enhance water quality protections.

Road Erosion Inventory Report: 2020

Description: Prioritizes those infrastructure projects necessary to improve transportation network resiliency and water quality. Relationship to Natural Hazard Mitigation Planning:

Improvements are designed to minimize or eliminate flood impacts on hydrologically connected road segments.

Local Emergency Management Plan: April 2023

Description: Establishes lines of responsibility and procedures to be implemented during a disaster and identifies high risk populations, hazard sites, and available resources.

Relationship to Natural Hazard Mitigation Planning: Includes actions for tracking events and response actions including damage reports to facilitate funding requests during recovery. The following information can be essential to preparing hazard mitigation project applications for FEMA funding.

Water Ordinance: November 2018

Description: Establish minimum standards for design, construction, installation, control, operation of public drinking water system.

Relationship to Natural Hazard Mitigation Planning: Adopted standards that reduce risk, make the system more resilient, and conserve water.

Waitsfield Ash Tree Management Plan-2021

Description: Inventoried and prioritizes ash tree management due to Emerald Ash Borer infestations within the town ROW.

Relationship to Natural Hazard Mitigation Planning: Identifies locations for work to remove affected trees from ROW to prevent debris from accumulating or impacting town roads.

Upper Mad River Corridor Plan: 2008

Description: Identify river best management practices and develop prioritized projects to mitigate stormwater water quality problems.

Relationship to Natural Hazard Mitigation Planning: Many proposed projects accomplish multiple goals: -water quality and mitigation.

Financial These capabilities are the resources that a community has access to or is eligible to use to fund mitigation actions.

Waitsfield's 2024 town budget is \$2,673,901, with \$590,356 to fund the Road Department. In addition to property tax revenues, the Town collects separate fees for water services.

Outreach & Education Waitsfield has several outreach and education opportunities that could be used to implement mitigation activities and communicate hazard-related information:

- Waitsfield-Fayston Fire Department Mad River Ambulance, Waitsfield Elementary School, Waitsfield Conservation Committee, Friends of the Mad River
- Town website, Front Porch Forum, Valley Reporter

National Flood Insurance Program Compliance

The Town joined the National Flood Insurance Program (NFIP) in 1978. The effective date of the current Flood Insurance Rate Map (FIRM) is March 18, 2013. The Zoning Administrator enforces NFIP compliance through permit review requirements in its Flood Hazard Area regulations. Waitsfield's regulations outline detailed minimum standards for development in flood hazard areas defined as FEMA Special Flood Hazard Areas and Floodway Areas. The regulations also require administering Substantial Improvement and Substantial Damage (SI/SD) requirements in accordance with FEMA P-758 SI/SD Desk Reference, May 2010.

The town is currently awaiting the new flood insurance maps that are being compiled by FEMA and will be reviewed and accepted to maintain the town's NFIP status once the process has been completed.

The Town discussed the following as possible actions to continue NFIP compliance:

- 1) Prepare, distribute, or make available NFIP insurance explanatory pamphlets or booklets.
- 2) Participate in NFIP training offered by the State and/or FEMA.

State Incentives for Flood Mitigation Vermont's Emergency Relief Assistance Funding (ERAF) provides state funding to match FEMA Public Assistance after federally declared disasters. Eligible public costs are generally reimbursed by FEMA at 75% with a 7.5% State match. The State will increase its match to 12.5% or 17.5% if communities take steps to reduce flood risk as described below. 12.5% funding for communities that have adopted four (4) mitigation measures:

- 1) NFIP participation;
- 2) Town Road and Bridge Standards;
- 3) Local Emergency Plan; and
- 4) Local Hazard Mitigation Plan.

17.5% funding for communities that also participate in FEMA's Community Rating System OR adopt Fluvial Erosion Hazard or other river corridor protection bylaw that meets or exceeds the Vermont ANR model regulations.

Waitsfield's current ERAF rate is 7.5%. Upon adoption of the 2024 Local Hazard Mitigation Plan, their ERAF rate will increase to 17.5% because the Town has adopted Flood Hazard regulations that are strong enough to receive interim status as River Corridor Bylaws.

Community Lifelines

Community Lifelines enable the continuous operation of critical government and business functions and are essential to human health and safety or economic security. The goal of the lifeline concept is to focus response efforts on stabilizing or re-establishing these most fundamental services during and after a disaster. Mitigating lifelines should reduce cascading impacts across government and business functions and lessen system-wide damage.

Community Lifelines are organized into seven categories:

1. Law Enforcement
2. Fire Service
3. Search & Rescue
4. Government Service
5. Community Safety



1. Food
2. Water
3. Shelter
4. Agriculture



1. Medical Care
2. Public Health
3. Patient Movement
4. Medical Supply Chain
5. Fatality Management



1. Power Grid
2. Fuel



1. Infrastructure
2. Responder Communications
3. Alerts, Warnings, & Messages
4. Finance
5. 911 & Dispatch



1. Highway/Road/Motor Vehicle
2. Mass Transit
3. Railway
4. Aviation
5. Maritime



1. Facilities HAZMAT, Pollutants Contaminants



Mitigation Action Identification

The Hazard Mitigation Planning Team discussed the mitigation strategy, reviewed projects from the 2018 Plan, and identified possible new actions from the following categories for each of the highest risk natural hazards identified in Section 5.



Local Plans & Regulations These actions include government authorities, policies, or codes that influence the way land and buildings are developed and built.



Structure & Infrastructure Projects These actions involve modifying existing structures and infrastructure to protect them from a hazard or remove them from a hazard area. This applies to public or private structures as well as critical facilities.



Natural Systems Protection These actions minimize damage and losses and preserve or restore the functions of natural systems.



Outreach & Education Programs These actions inform and educate the public about hazards and potential ways to mitigate them. Although this type of action reduces risk less directly than structure projects or regulation, it is an important foundation. Greater awareness is more likely to lead to community support for direct actions.

Local Plans & Regulations Examples

Integrate Mitigation into Capital Improvement Programs: Incorporate risk assessment and hazard mitigation principles into capital planning.

Reduce Impacts to Roadways: The leading cause of death and injury during winter storms is automobile accidents, so it is important to plan for

and maintain adequate road and debris clearing capabilities.

Develop a Road Right-of-Way Vegetation Management Plan: Identify community priorities and plan of action for site-specific tree and roadside forest management to increase roadside resilience.

Improve Flood Resilience with a Flood Study: The aim of a flood study is to define existing flood behavior for a particular catchment, river, or creek. The study helps inform building, land use planning, community awareness and disaster management.

Improve Stormwater Management Planning: Rain and snowmelt can cause flooding and erosion in developed areas. A community-wide stormwater management plan can address stormwater runoff-related flooding.

Manage Development in Erosion Hazard Areas: The intent of River Corridor Bylaws is to allow for wise use of property within river corridors that minimizes potential damage to existing structures and development from flood-related erosion.

Structure & Infrastructure Project Examples

Protect Power Lines: Protect power lines by 1) inspecting and maintaining hazardous trees in the road right-of-way and 2) burying power lines.

Protect Critical Roadways: Use snow fences or living snow fences (e.g., rows of trees) to limit blowing and drifting of snow.

Retrofit Critical Facilities: Critical facilities can be protected from the impacts of high winds and winter storms by 1) retrofitting them to strengthen structural frames to withstand wind and snow loads; 2) anchoring roof-mounted mechanical equipment; and 3) installing back-up generators or quick connect wiring for a portable generator.

Remove Existing Structures from Flood Hazard Areas: FEMA policy encourages the removal of structures from flood-prone areas to minimize

future flood losses and preserve lands subject to repetitive flooding.

Improve Stormwater Drainage Capacity: Minimize flooding and fluvial erosion by 1) increasing drainage/absorption capacities with green stormwater management practices; 2) increasing dimensions of undersized drainage culverts in flood-prone areas; 3) stabilizing outfalls with riprap and other slope stabilization techniques; and 4) re-establishing roadside ditches.

Conduct Regular Maintenance for Drainage Systems: Help drainage systems and flood control structures function properly with 1) routine cleaning and repair; 2) cleaning debris from support bracing underneath low-lying bridges; and 3) inspecting bridges and identifying if any repairs are needed to maintain integrity or prevent scour.

Protect Infrastructure and Critical Facilities: Minimize infrastructure losses and protect critical facilities from flooding by 1) elevating roads above base flood elevation to maintain dry access; 2) armoring streambanks near roadways to prevent washouts; 3) rerouting a stream away from a vulnerable roadway; and 4) floodproofing facilities.

Natural Systems Protection Examples

Protect and Restore Natural Flood Mitigation Features: Natural conditions can provide floodplain protection, riparian buffers, groundwater infiltration, and other ecosystem services that mitigate flooding. Preserving such functionality is important. Examples include 1) adding riparian buffers; 2) stabilizing stream banks; 3) removing berms; 4) minimizing impervious area development; 5) restore floodplain; and 6) restore incision areas.

Outreach & Education Program Examples

Educate Residents about Extreme Winter Weather: Winter storms create a higher risk of car accidents, hypothermia, frostbite, carbon

monoxide poisoning, and heart attacks from overexertion. Educational outreach can help minimize these risks.

Assist Vulnerable Populations: Measures can be taken to protect vulnerable populations from natural hazards, such as

- 1) organizing outreach and
- 2) establishing and promoting accessible heating or cooling centers in the community.

Mitigation	Action	Evaluation
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For each mitigation action identified, the Planning Team evaluated its potential benefits and/or likelihood of successful implementation. Actions were evaluated against a range of criteria, including a planning level assessment of whether the costs are reasonable compared to the probable benefits. Results of this evaluation are presented in **Table 5**.

See Community Survey results in **Appendix D** for which category of mitigation actions survey respondents wanted the Town to prioritize.

Mitigation	Action	Plan	for	Implementation
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After careful evaluation, the Planning Team agreed on a list of actions that support the Mitigation Goals of this Plan and are acceptable and practical for the community to implement.

Actions without overall public support/political will were not selected for implementation. Actions whose costs were not reasonable compared to probable benefits were also not selected.

For the selected actions, the Planning Team then 1) assigned a responsible party to lead the completion of each action; 2) identified potential grant funding; defined a timeframe for implementation; and ranked each action's priority (high, medium, low).

Natural hazards pose a unique threat to the Town's vulnerable populations. Data has shown that

underserved and marginalized populations tend to live in at-risk hazard-prone areas or in homes with substandard construction. The data also suggests that this segment of the community is less likely to fully recover after a disaster.⁴ When ranking an action's priority, those that directly benefit a vulnerable population were ranked high.

The action plan is presented in **Table 6**

Table 5: Mitigation Action Evaluation and Prioritization

Waitsfield	Life	Prop	Tech	Pol.	Adm.	Other	Benefit	Est	C/B	
Mitigation Actions	Safety	Protect				Obj	Score	Cost		
Fluvial Erosion										Mitigation type
Plan for and Maintain Adequate Road and Debris Clearing Capabilities	1	1	1	1	1		5	1	Y	Local Plans and Regulations
Update Road Erosion and Culvert Inventories	1	1	1	1	1		5	1	Y	Local Plans and Regulations
Identify and prioritize roads for base/drainage upgrades to stabilize mud season conditions	2	2	2	2	2		10	1	Y	Local Plans and Regulations
Create process for rebuilding prioritized roads to alleviate mud season conditions	2	1	1	1	1		6	2	Y	Structures and infrastructure
Educate private landowners on best management practices for maintaining private roads.	2						2	1	Y	Outreach and Education
Center Fayston Road Stream culvert 36" needs upgraded to bank full width # 21416-6	1	1	1	1	1	1	6	3	Y	Structures and infrastructure
Common Road High Bridge Brook culvert 5' upgraded to bank full width # 21480-3	1	1	1	1	1	1	6	3	Y	Structures and infrastructure
Elevate Route 100 to maintain access along Mill Brook	1	1	1	1	1	1	6	3	N	Structures and infrastructure
East Warren Road Folsom Brook Tributary culvert 6' upsize to bank full width #21481-35	1	1	1	1	1	1	6	3	Y	Structures and infrastructure
North Road-South of North Ridge Road culvert 2' upsize to bank full width # 21479-1	1	1	1	1	1	1	6	2	Y	Structures and infrastructure
North Road-South of Tremblay Road culvert 6' upsize to bank full width # 21479-7	1	1	1	1	1	1	6	3	Y	Structures and infrastructure
River View Road-1 st stream culvert 4' upsize to bank full width standard # 21415-2	1	1	1	1	1	1	6	3	Y	Structures and infrastructure
Sherman Road tributary of Folsom Brook culvert 4.5' upsize to bank full width #21477-8	1	1	1	1	1	1	6	3	Y	Structures and infrastructure

[illegible]

Incident Command System training for municipal officials ICS-402	1	1	1	1	1	1	6	1	Y	Local Plans and Regulations
Install Back-up Generators at the town garage	1	1	1	1	1	1	6	2	Y	Structures and infrastructure
Emergency Action Plan for Waste Water system as part of the development process	2	1	1	1	1	1	7	1	Y	Local Plans and Regulations
Emergency Action Plan for Town Water system	2	1	1	1	1	1	7	1	Y	Structures and infrastructure
Emergency Action Plan for water plant to ICS standards	1	1	1	1	1	1	6	1	Y	Local Plans and Regulations

Table 5 Evaluation Criteria:

Life Safety – Will the action be effective at protecting lives and preventing injuries?

Property Protection – Will the action be effective at eliminating or reducing damage to structures and infrastructure?

Technical – Is the action a long-term, technically feasible solution?

Political – Is there overall public support/political will for the action?

Administrative – Does the community have the administrative capacity to implement the action?

Other Community Objectives – Does the action advance other community objectives, such as capital improvements, economic development, benefit a vulnerable population, environmental quality, or open space preservation?

Rank each of the above criteria in Table 5 with a 0, 1, or 2 using the following table:

2 = Highly effective or feasible

1 = Neutral

0 = Ineffective or not feasible

Estimated Cost – 1 = less than \$50,000; 2 = \$50,000 to \$100,000; 3 = more than \$100,000

C/B – Are the costs reasonable compared to the probable benefits? Yes or No

Final review was conducted culverts for replacement were prioritized by location and secondary access to the town if route 100 is out of service.

The highlighted culverts found above were prioritized for replacement due to the being on the secondary access in case of Route 100 or 100B being out of service due to damages which occurred during the July 11, 2024 flooding event.

Table 6: Mitigation Action Plan

Waitsfield				
Mitigation Actions		Who	Funding	When
Fluvial Erosion	Mitigation type			
Plan for and Maintain Adequate Road and Debris Clearing Capabilities	Local Plans and Regulations	Road Crew , Selectboard, and Planning	Town,	2024
Update Road Erosion and Culvert Inventories	Local Plans and Regulations	Road Crew and CVRPC	CVRPC	2026

Identify and prioritize roads for base/drainage upgrades to stabilize mud season conditions	Local Plans and Regulations	Road Crew, CVRPC, Selectboard	Town, CVRPC	2024-2025
Create process for rebuilding prioritized roads to alleviate mud season conditions	Structures and infrastructure	Road Crew	Town, Grants	2025-2026
Educate private landowners on best management practices for maintaining private roads.	Outreach and Education	Road Crew, Planning Commission	Town	2025
Common Road High Bridge Brook culvert 5' upgraded to bank full width # 21480-3	Structures and infrastructure	Road Crew, Town Administrator	Grants, Town	2028
East Warren Road Folsom Brook Tributary culvert 6' upsize to bank full width #21481-35	Structures and infrastructure	Road Crew, Town Administrator	Grants, Town	2029
North Road-South of North Ridge Road culvert 2' upsize to bank full width # 21479-1	Structures and infrastructure	Road Crew, Town Administrator	Grants, Town	2025
North Road-South of Tremblay Road culvert 6' upsize to bank full width # 21479-7	Structures and infrastructure	Road Crew, Town Administrator	Grants, Town	2026
Tremblay Road- by town garage culvert 7.5' upsize to bank full width #21419-6	Structures and infrastructure	Road Crew, Town Administrator	Grants, Town	2025
North Road-South of Tannery Road culvert 6' upsize to bank full width #21479-11	Structures and infrastructure	Road Crew, Town Administrator	Grants, Town	2027
Inundation Flooding				
Adopt Flood Hazard Area and/or River Corridor bylaws	Local Plans and Regulations	Planning Commission	Town	In Process
Identify and restore wetlands in appropriate locations	Local Plans and Regulations	Planning Commission, Friends of the Mad	Town	2025-2029
Reconnect Floodplain on Town owned Austen Parcel	Natural Systems	Friends of the Mad, CVRPC	Grants	2025-2027
Reconnect Floodplain on the Town owned Tardy Parcel	Natural Systems	Friends of the Mad, CVRPC	Grants	2025-2028
Reconnect Floodplain on the Town owned Lower Fairground Parcel	Natural Systems	Friends of the Mad, CVRPC	Grants	2025-2029
Study and possibly reconnect Flood chute just south of Tremblay road on private property	Local Plans and Regulations	Friends of the Mad, CVRPC	Grants	2025-2030
Education campaign to landowners of benefits of wetlands and wetland restoration for flood mitigation	Outreach and Education	Friends of the Mad, Town Administrator, Conservation Commission	Grants	2025-2029

Snow				
Adopt Local Building Codes for Roof Wind and Snow Loads	Local Plans and Regulations	Planning Commission,	Town	2026
Retrofit Critical Facilities to Strengthen Structural Frames to Withstand Wind and Snow Loads	Structures and infrastructure	Town Administrator	Grants, Town	2027
Ice				
Plan for Road Right-of-Way Vegetation Management	Local Plans and Regulations	Road Crew/Vtrans	Town	2025
Protect Power Lines and Roads by Inspecting and Removing Hazardous Trees in Road ROW	Structures and infrastructure	Town Road Crew. Green Mountain Power	Town, GMP	2024-2029
High Winds				
Adopt Local Building Codes for Roof Wind and Snow Loads	Local Plans and Regulations	Planning Commission,	Town	2026
Protect Power Lines and Roads by Inspecting and Removing Hazardous Trees in Road ROW	Structures and infrastructure	Town Road Crew. Green Mountain Power	Town, GMP	2024-2029
Anchor Roof-Mounted Mechanical Equipment on Critical Facilities	Structures and infrastructure	Planning Commission,	Town, Grants	2027
Wildfires				
Burn Bans and outreach for fire danger	Outreach and Education	Fire Warden	Town	2024-2029
Landslides				
Stabilize slide at slope near town line on Mill Brook along Bragg Hill Road	Structures and infrastructure	EMD, Town Administrator, Fayston Selectboard	Grants, Town	2024-2026
Infectious Disease Outbreak				
Educate the Public About the Risks of Infectious Disease and How to Protect Against Them	Outreach and Education	Town Health Officer, Vermont Dept. of Health	Town	2025
Invasive Species				
Plan for Road Right-of-Way Vegetation Management	Local Plans and Regulations	Conservation Commission, Selectboard, Road Crew	Town, Grants	2024-2029
Educate the Public About the Risks of Invasive Species and How to Protect Against Them	Outreach and Education	Selectboard, Conservation Commission	Town, Grants	2024-2029
Heat				
Maintain cooling location	Structures and infrastructure	Emergency Manager, Selectboard.	Town, Grants	2024-2029
Hot and Cold Weather Planning	Local Plans and Regulations	Emergency Manager, Planning Commission	Town, Grants	2024

Cold				
Hot and Cold Weather Planning	Local Plans and Regulations	Emergency Manager, Planning Commission	Town, Grants	2024-2029
Maintain heating location	Structures and infrastructure	Emergency Manager, Selectboard.	Town, Grants	2024
Drought				
Outreach on water conservation during emergencies	Outreach and Education	Water Commission,	Town	As needed
All Hazards				
Incident Command System training for municipal officials ICS-402	Local Plans and Regulations	Selectboard, Town Administrator	Town	2024
Install Back-up Generators at the town garage	Structures and infrastructure	Selectboard, Road Department	Town	2025
Emergency Action Plan for Waste Water system as part of the development process	Local Plans and Regulations	Waste Water Committee, Engineering Company	Town	2026
Emergency Action Plan for Town Water system to ICS standards	Structures and infrastructure	Water Commission	Town	2025

Integrating into Existing Plans and Procedures

For Waitsfield to succeed in reducing long-term risk, information from this Plan should be integrated throughout government operations. When activities are connected, they can not only reduce risk and increase resilience, but also accomplish other objectives such as environmental protection, economic development, financial stability, and land use planning.

There are several ways the Town can achieve integration into existing plans and procedures to support risk-informed community planning. They can include the community's primary mitigation goal as stated on page 18, information from the risk assessment, and mitigation actions as follows:

- The mitigation goal and risk assessment information can be considered when prioritizing capital improvements. Mitigation actions listed in this Plan can be included in the annual budgeting process.
- Funding for mitigation actions can be prioritized in

the annual budget process.

- The mitigation goal and risk assessment information can be incorporated into the next Town Plan update (Land Use and Flood Resilience chapters in particular) to help steer growth and redevelopment away from high-risk locations.
- The mitigation goal and risk assessment information can be incorporated into future zoning ordinance updates. Ideally incorporating this while doing zoning updates for the acceptance of new flood maps.
- The mitigation goal and risk assessment information can be incorporated into any plans to expand public water and sewer utilities to ensure they are not expanded into high-hazard areas.
- Several flood-related mitigation actions for increasing road resiliency can be implemented under the existing Municipal Road General Permit (8054-9040) for controlling stormwater discharges from town roads.
- Several flood-related mitigation actions for increasing road resiliency can be implemented under the existing Municipal Road General Permit (8054-9040) for controlling stormwater discharges from town roads.

7 PLAN MAINTENANCE

This Plan is dynamic. To ensure it remains current and relevant, it should be annually evaluated and monitored and updated every five years, in accordance with FEMA guidelines in effect at the time. The town will utilize a process for collecting input to the town Emergency Management Director and Emergency Management Coordinator. This will be publicly announced utilizing Front Porch Forum that the yearly review is upcoming to garner community input and comments. This will be incorporated into the yearly review by the Selectboard. This will also allow for the inclusion of any new mitigation projects that the town may want to undertake during the timeframe of the current plan.

Annual Evaluation and Monitoring

Within 12 months of FEMA Final Approval, the Plan will be annually evaluated and monitored as follows:



1 The Selectboard will evaluate the effectiveness of the Plan in meeting the stated goals. Things to consider during this evaluation:

- What disasters has the town (or region) experienced?
- Should the list of highest risk natural hazard impacts be modified?
- Are new data sources, maps, plans, or reports available? If so, what have they revealed, and should the information be incorporated into this plan?
- Has development in the region occurred and could it create or reduce risk?
- Has the town adopted new policies or regulations that could be incorporated into this plan?
- Have elements of this plan been incorporated into new plans, reports, policies, or regulations?
- Are there different or additional community capabilities available for mitigation implementation?

2 Next, the Selectboard will monitor mitigation action progress. Things to consider:

- Is the mitigation strategy being implemented as anticipated?
- Were the cost and timeline estimates accurate?
- Should new mitigation actions be added?
- Should proposed actions be revised or removed?
- Are there new funding sources to consider?

The status (e.g., in progress, complete) of each action should be recorded in **Table 7**. If the status is “in progress” note whether the action is on schedule. If not, describe any problems, delays, or adverse conditions that will impair the ability to complete the action.

3 The Selectboard will seek public comment from the Whole Community on plan implementation. Things to consider:

- Are there any new stakeholders to include?
- What public outreach activities have occurred?
- How can public involvement be improved?

- 4 Based on input received, the mitigation strategy and/or actions will be modified, if needed.
- 5 A report (or record in the form of meeting minutes) of the annual evaluation and monitoring will be made available to the public.

Table 7: Mitigation Action Status

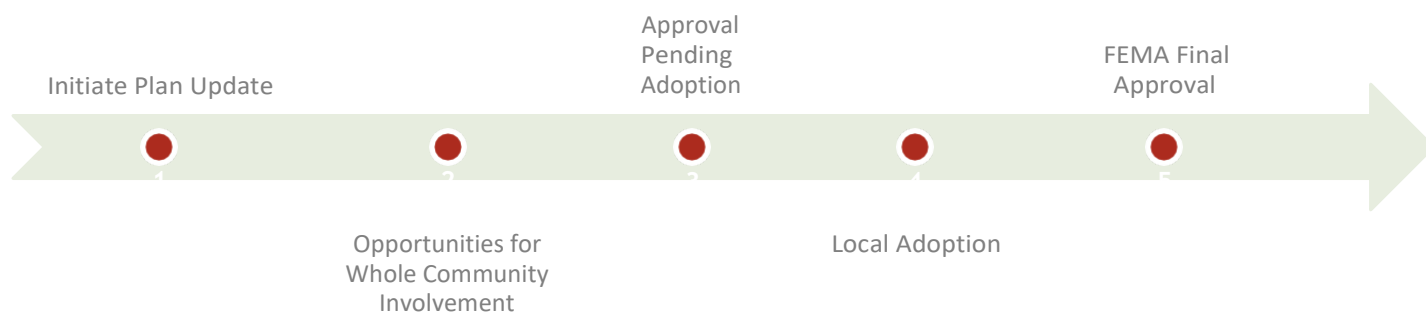
Waitsfield				
Mitigation Actions	Who	Funding	When	Status
Fluvial Erosion				
Plan for and Maintain Adequate Road and Debris Clearing Capabilities	Road Crew , Selectboard, and Planning	Town,	2024	
Update Road Erosion and Culvert Inventories	Road Crew and CVRPC	CVRPC	2026	
Identify and prioritize roads for base/drainage upgrades to stabilize mud season conditions	Road Crew, CVRPC, Selectboard	Town, CVRPC	2024-2025	
Create process for rebuilding prioritized roads to alleviate mud season conditions	Road Crew	Town, Grants	2025-2026	
Educate private landowners on best management practices for maintaining private roads.	Road Crew, Planning Commission	Town	2025	
Common Road High Bridge Brook culvert 5' upgraded to bank full width # 21480-3	Road Crew, Town Administrator	Grants, Town	2028	
East Warren Road Folsom Brook Tributary culvert 6' upsize to bank full width #21481-35	Road Crew, Town Administrator	Grants, Town	2029	
North Road-South of North Ridge Road culvert 2' upsize to bank full width # 21479-1	Road Crew, Town Administrator	Grants, Town	2025	
North Road-South of Tremblay Road culvert 6' upsize to bank full width # 21479-7	Road Crew, Town Administrator	Grants, Town	2026	
Tremblay Road- by town garage culvert 7.5' upsize to bank full width #21419-6	Road Crew, Town Administrator	Grants, Town	2025	
North Road-South of Tannery Road culvert 6' upsize to bank full width #21479-11	Road Crew, Town Administrator	Grants, Town	2027	
Inundation Flooding				
Adopt Flood Hazard Area and/or River Corridor bylaws	Planning Commission	Town	In Process	
Identify and restore wetlands in appropriate locations	Planning Commission, Friends of the Mad	Town	2025-2029	
Reconnect Floodplain on Town owned Austen Parcel	Friends of the Mad, CVRPC	Grants	2025-2027	

Reconnect Floodplain on the Town owned Tardy Parcel	Friends of the Mad, CVRPC	Grants	2025-2028	
Reconnect Floodplain on the Town owned Lower Fairground Parcel	Friends of the Mad, CVRPC	Grants	2025-2029	
Study and possibly reconnect Flood chute just south of Tremblay road on private property	Friends of the Mad, CVRPC	Grants	2025-2030	
Education campaign to landowners of benefits of wetlands and wetland restoration for flood mitigation	Friends of the Mad, Town Administrator, Conservation Commission	Grants	2025-2029	
Snow				
Adopt Local Building Codes for Roof Wind and Snow Loads	Planning Commission,	Town	2026	
Retrofit Critical Facilities to Strengthen Structural Frames to Withstand Wind and Snow Loads	Town Administrator	Grants, Town	2027	
Ice				
Plan for Road Right-of-Way Vegetation Management	Road Crew/Vtrans	Town	2025	
Protect Power Lines and Roads by Inspecting and Removing Hazardous Trees in Road ROW	Town Road Crew. Green Mountain Power	Town, GMP	2024-2029	
High Winds				
Adopt Local Building Codes for Roof Wind and Snow Loads	Planning Commission,	Town	2026	
Protect Power Lines and Roads by Inspecting and Removing Hazardous Trees in Road ROW	Town Road Crew. Green Mountain Power	Town, GMP	2024-2029	
Anchor Roof-Mounted Mechanical Equipment on Critical Facilities	Planning Commission,	Town, Grants	2027	
Wildfires				
Burn Bans and outreach for fire danger	Fire Warden	Town	2024-2029	
Landslides				
Stabilize slide at slope near town line on Mill Brook along Bragg Hill Road	EMD, Town Administrator, Fayston Selectboard	Grants, Town	2024-2026	
Infectious Disease Outbreak				
Educate the Public About the Risks of Infectious Disease and How to Protect Against Them	Town Health Officer, Vermont Dept. of Health	Town	2025	

Invasive Species				
Plan for Road Right-of-Way Vegetation Management	Conservation Commission, Selectboard, Road Crew	Town, Grants	2024-2029	
Educate the Public About the Risks of Invasive Species and How to Protect Against Them	Selectboard, Conservation Commission	Town, Grants	2024-2029	
Heat				
Maintain cooling location	Emergency Manager, Selectboard.	Town, Grants	2024-2029	
Hot and Cold Weather Planning	Emergency Manager, Planning Commission	Town, Grants	2024	
Cold				
Hot and Cold Weather Planning	Emergency Manager, Planning Commission	Town, Grants	2024-2029	
Maintain heating location	Emergency Manager, Selectboard.	Town, Grants	2024	
Drought				
Outreach on water conservation during emergencies	Water Commission,	Town	As needed	
All Hazards				
Incident Command System training for municipal officials ICS-402	Selectboard, Town Administrator	Town	2024	
Install Back-up Generators at the town garage	Selectboard, Road Department	Town	2025	
Emergency Action Plan for Waste Water system as part of the development process	Waste Water Committee, Engineering Company	Town	2026	
Emergency Action Plan for Town Water system to ICS standards	Water Commission	Town	2025	

5-Year Updates

This Plan will be updated at a minimum every five (5) years as follows:



- 1 Currently, funding to assist municipalities in paying for planning services to update the Local Hazard Mitigation Plan is available through FEMA's Building Resilient Infrastructure and Communities grant program. If using this grant, Waitsfield should contact Vermont Emergency Management (VEM) to apply for funding in 2027 – approximately 2 years before the Plan expires.

Once funding is secured and the grant agreement between the Town and State is in place, the Town Manager can issue a request for proposals (RFP) to procure planning services in accordance with the grant agreement. The RFP should be issued approximately 14 months before the Plan expires.

Once a consultant is procured, the Plan update can begin with a kick-off meeting including the consultant and local hazard mitigation planning team. The kick-off meeting should be scheduled approximately 12 months before the Plan expires. The Town should allot approximately 8 months for the Plan update process.

- 2 Opportunities for Whole Community involvement throughout the Plan update process need to be factored into the schedule. These opportunities may include a community survey, planning workshop, and public meetings at critical milestones agreed to at the project kick-off meeting.
- 3 Once the local hazard mitigation planning team has prepared a final draft, they can seek authorization from the Selectboard to submit the Plan for VEM/FEMA approval. Plan approval is accomplished in two steps – the first is Approval Pending Adoption. The Town should submit for Approval Pending Adoption approximately 4 months before the Plan expires to allow for time to respond to any review comments received from VEM/FEMA.
- 4 Once the Town receives Approval Pending Adoption, the Selectboard should adopt the Plan as soon as their next regular meeting.
- 5 Once adopted, the Town can submit the Plan for VEM/FEMA Final Approval. The Town should submit for Final Approval approximately 1 month before the Plan expires to ensure there is no gap in coverage between updates. The FEMA Final Approval date starts the clock on the effective dates of the 5-year Plan.

CERTIFICATE OF ADOPTION
Town of Waitsfield, Vermont Selectboard
A Resolution Adopting the Waitsfield, Vermont 2024 Local Hazard Mitigation Plan

WHEREAS the Waitsfield Selectboard recognizes the threat that natural hazards pose to people and property within the Town of Waitsfield; and

WHEREAS the Waitsfield Selectboard has prepared a natural hazard mitigation plan, hereby known as the Waitsfield, Vermont 2024 Local Hazard Mitigation Plan in accordance with federal laws, including the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended; the National Flood Insurance Act of 1968, as amended; and the National Dam Safety Program Act, as amended; and

WHEREAS the Waitsfield, Vermont 2024 Local Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Waitsfield from the impacts of future hazards and disasters; and

WHEREAS adoption by the Waitsfield Selectboard demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Waitsfield, Vermont 2024 Local Hazard Mitigation Plan.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF WAITSFIELD, VERMONT, THAT:

Section 1. In accordance with 24 VSA §872, the Waitsfield Selectboard adopts the Waitsfield, Vermont 2024 Local Hazard Mitigation Plan. While content related to the Town of Waitsfield may require revisions to meet the plan approval requirements, changes occurring after adoption will not require the Town of Waitsfield to re-adopt any further iterations of the plan. Subsequent plan updates following the approval period for this plan will require separate adoption resolutions.

ADOPTED by a vote of ____ in favor and ____ against, and ____ abstaining, this ____ day of _____, 2024.

By: _____ (print name)
Selectboard Chair

ATTEST: By: _____ (print name)

MITIGATION ACTIONS FROM 2017 PLAN

Stormwater Management Planning:

Participate with the 5 Mad River Valley towns in stormwater management planning for the Mad River Valley watershed

Who: Zoning Administrator, Floodplain Manger

Partners: MRVPD, Friends of the Mad

River When: Summer 2015–Winter 2017

Priority: High

How: Municipal Planning Grant, High Meadows fund, HMGP

2024 Update: This master plan project was completed in 2019

Communications:

Complete enrollment in VT Alert program

Who: Emergency Management director

Partners: Fire Department

When: Complete Summer 2016

Priority: High

How: Vermont Emergency Management

2024 Update: The town is enrolled and currently has both the EMD and EMC trained.

Flood mapping:

Create a flood model meeting FEMA specification to update existing floodplain boundaries along the Mad River, including Waitsfield.

Who: Zoning Administrator, Floodplain Manger

Partners: CVRPC, MRVPD, Planning Commission,

Selectboard, FMR, ANR

When: June 2017

Priority: High

How: CDBG-18 Disaster recovery

2024 Update: The town chose not to pursue this work at this time due to staff/volunteer limitations.

Upgrade Culverts:

Continue to evaluate and upgrade high priority culverts. Seek funding for culvert and bridge upgrades.

Who: Select Board
administrator

Partners: Road Commissioner, CVRPC, Town

When: 2016-2020

Priority: High

How: Municipal Budget, AOT Town Highway Structures Program, Better Roads

2024 Update: The town has continued to upgrade culverts as necessary to state standards.

Roads:

Identify vulnerable road segments and necessary improvements to prevent failure during

flood episodes.

Who: Road Commissioner

Partners: CVRPC

When: summer 2017-Fall 2020

Priority: High

How: Municipal Budget, Municipal Planning Grant

2024 Update: The town has identified vulnerable segments and areas and been acquiring necessary funding for improvements as necessary and available.

Flood-proof the Waitsfield Village Meeting House and the library

Who: Town Administrator

Partners: MRVPD, CVRPC

When: Fall 2017

Priority: High

How: HMGP, CDBG-DR

2024 Update: The library is already a flood proofed structure and the town may still pursue the floodproofing of the village meeting house.

Shepard Brook

Conduct restoration on lower Shepard Brook to repair damaged river banks and remove bar of debris and sediment.

Who: Private landowners, Z.A., Floodplain manager Partners: ANR, CVRPC

When: Fall 2017

Priority: Medium

How: Vermont Community Foundation, Vermont Disaster Relief Fund

2024 Update: The town has chosen not to pursue this action.

Evaluate fluvial erosion hazard regulations and maps and discuss with key stakeholders to determine maintenance of eligibility for highest state share of post-disaster FEMA Public Assistance.

Who: Z.A., Floodplain Manager

Partners: ANR, Planning commission, Town

Administrator, Selectboard

When: Summer 2016-summer 2017

Priority: Medium

How: Municipal Budget

2024 Update: The town has received the highest ranking from the Vermont Emergency Relief and Assistance Funding program due to achieving interim status of River Corridor bylaws.

Ronk Road

Upgrade one culvert and one bridge on Ronk Road.

Who: Selectboard

Partners: Road Commissioner, Town administrator

When: Summer 2017-2019

Priority: Medium

How: Municipal Budget, AOT Town Highway Structures Program, Better Backroads

2024 Update: The town has replaced one of the Ronk Road culverts but has chosen not to replace the bridge at this time.

Dams:

Develop a dam failure notification system, including increased communication regarding the Warren timber crib dam and Sugarbush snowmaking pond.

Who: Emergency Management Director

Partners: Fire Department

When: Summer 2017–winter 2019

Priority: Medium

How: Municipal Budget, Fundraising

2024 Update: The town chose not to pursue this and will rely upon VTAlert as the message system used by Emergency Management Director to communicate dam failures to residents.

Obtain generator for town garage for resiliency planning.

Who: Emergency Management Director

Partners: Selectboard, Road Commissioner

When: Winter 2017-2019

Priority: Medium

How: DEMHS Generator Grant program, Municipal Budget

2024 Update: The town has not obtained a generator, but is still interested in acquiring one for this site.

Shepard Brook

Evaluate feasibility of alternative mitigation options to protect properties along lower Shepard Brook, such as flood chutes or property acquisitions.

Who: Z.A., Floodplain Admin., Town Admin.

Partners: CVRPC, DEMHS, ANR, landowners

When: Fall 2018

Priority: Medium-Low

How: HMGP

2024 Update: The town has chosen not to pursue this action.

NFIP

Investigate cost-effectiveness of enrollment in NFIP community rating system.

Who: Town Administrator

Partners: Selectboard, Z.A., ANR, CVRPC

When: Summer 2016–Summer 2019

Priority: Low

How: Municipal Budget

2024 Update: The town is enrolled in the NFIP but has chosen to not pursue the Community Rating System due to the administrative costs to enroll being higher than the financial benefits currently.

CARE outreach

Conduct outreach to vulnerable residents about CARE: Citizens Assistance Registration for Emergencies.

Who: Town Clerk & Administrative Staff

Partners: United Way, 211, VT E911

When: 2017

Priority: Low

How: Municipal Budget

2024 Update: The town is registered and promotes the use of the CARE registry for individuals who may be in need of assistance.

Develop a plan for ice monitoring and coordination with local contractors, ANR & AOT for removal.

Who: Emergency Management Director

Partners: Local contractors, ANR, AOT

When: 2108-2020

Priority: Low

How: Municipal Budget

2024 Update: The Emergency Management Director monitors Ice levels and coordinates with necessary individuals and entities.

Coordinate with partners to seek out opportunities to purchase river channel management rights through river conservation easements.

Who: Town Administrator

Partners: Conservation Commission, Mad

River Conservation Partnership (MRVPD, VLT, FMR)

When:2016-2020

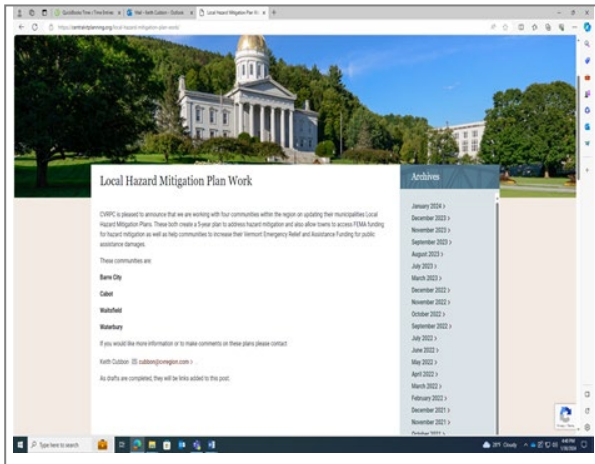
Priority: Low

How: High Meadows Fund/VCF, ANR Ecosystem Restoration Program, CDGB, ANR Rivers Management Program

2024 Update: The town has chosen not to pursue this action due to lack of finding appropriate partners to facilitate.

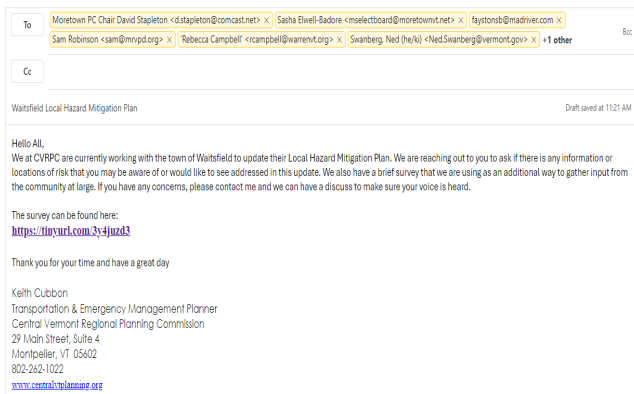
SUMMARY OF PUBLIC COMMENTS ON DRAFT PLAN

Public comments received throughout the plan development process are summarized here. For detailed information about how the Whole Community was invited to participate reference **Table 2**.

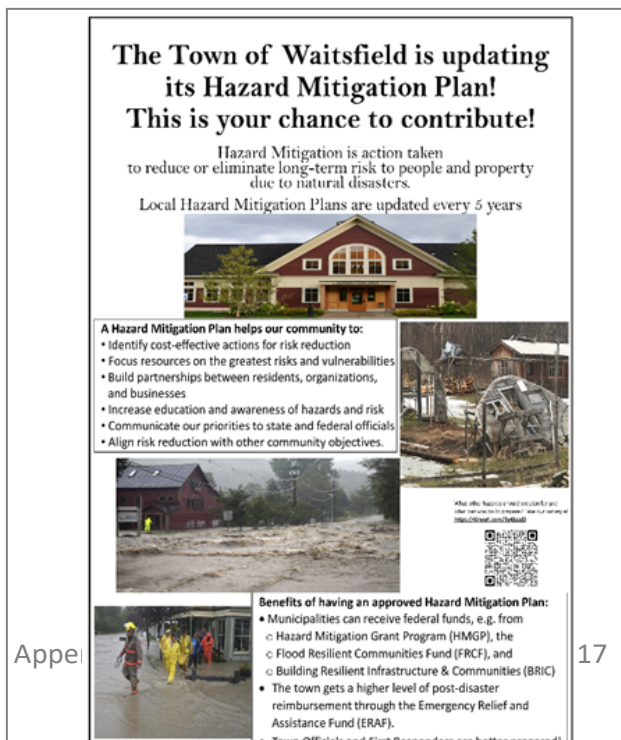


Example Plan update kick-off public notice from Central Vermont Regional Planning Commission website.

No inquiries received in response to the kick-off notice.



Example email to Key Partners announcing Plan update dated January 31, 2023.

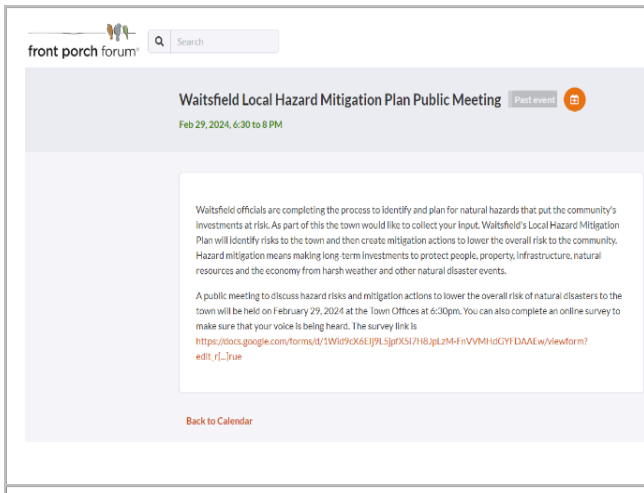


Example Local Hazard Mitigation Planning Community Survey poster used in town, on town Facebook and Front Porch Forum, posted on March 1, 2024.

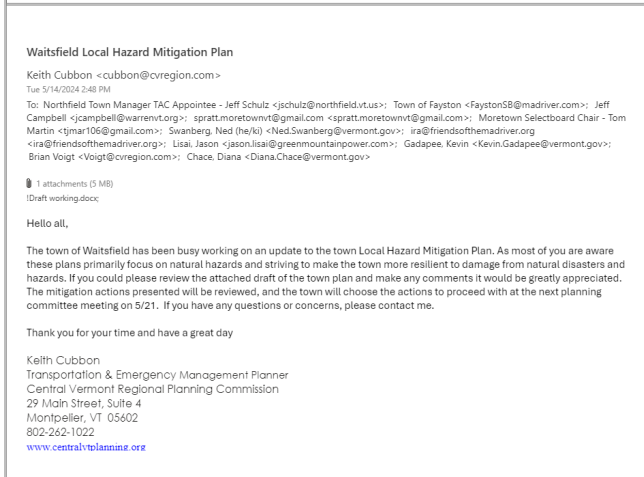
See **Appendix D** for copy of survey and results.



Waitsfield Hazard Mitigation Planning Workshop advertisement posted at locations throughout town. Comments about mud season roads were incorporated and locations of concern in the town.



Example: Waitsfield Hazard Mitigation Planning Workshop advertisement on Front Porch Forum, posted on February 22, 2024 and repeated multiple times in days leading up to meeting



Example email to Key Partners and local officials in neighboring towns seeking comments on draft plan as draft was completed in plan development process – dated May

available for public comment at during plan development process from Central Vermont Regional Planning Commission website, including link to draft plan, posted on February 5, 2024.

Minor editorial comments received from the Waitsfield Planning Commission were incorporated into the Plan.

Example email to Key Partners and local officials in neighboring towns seeking comments on draft plan as draft was completed in plan development process – dated May 14, 2024.

Final Draft of the Waitsfield LHMP was posted to the town website on May ????, 2024. ? comments were received.

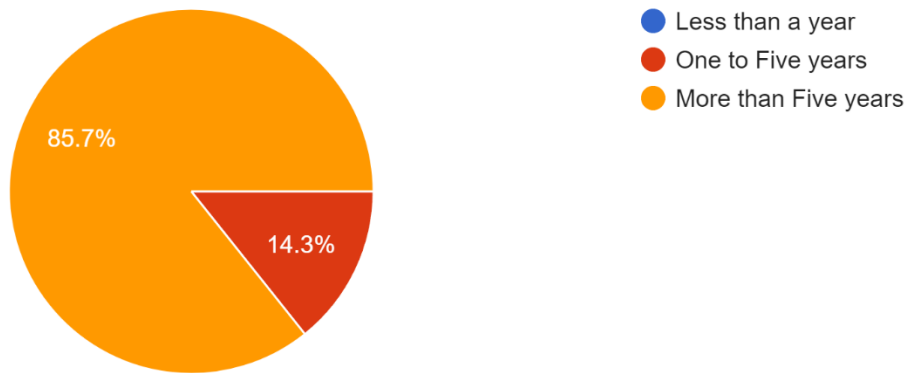
[placeholder for any VEM/ FEMA comments to plan and how they were addressed.]

COMMUNITY SURVEY RESULTS

The Town of Waitsfield utilized a survey to solicit public input on 1) potential natural hazard impacts and 2) mitigation strategies to reduce these impacts in the future. The survey was made available online as well as hard copy over the course of 8 weeks between February and April 2024. The Town received 7 responses and a summary of the input received is provided below, followed by a copy of the actual survey.

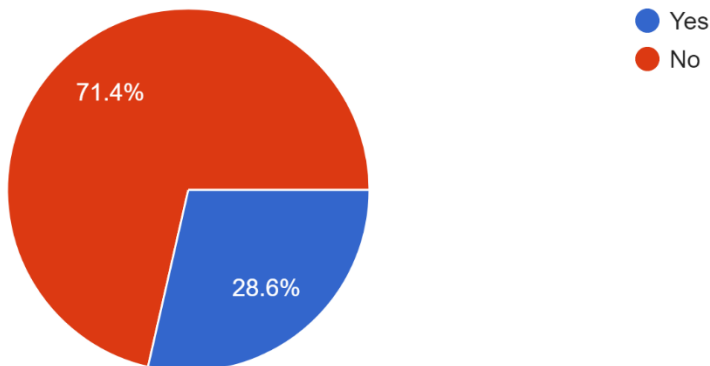
1) How long have you lived in or owned a business or property in Waitsfield?

7 responses



2) Have you experienced damage during a past severe weather event?

7 responses



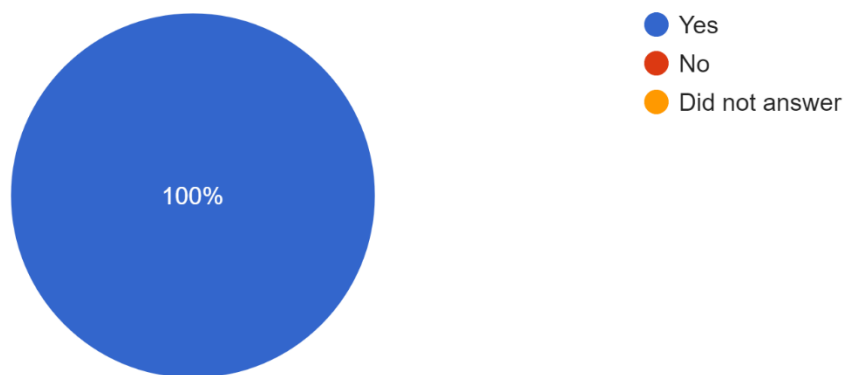
3) Is your home or business property located in a FEMA designated floodplain? If yes, do you have insurance through the National Flood Insurance Program (NFIP)?

7 responses



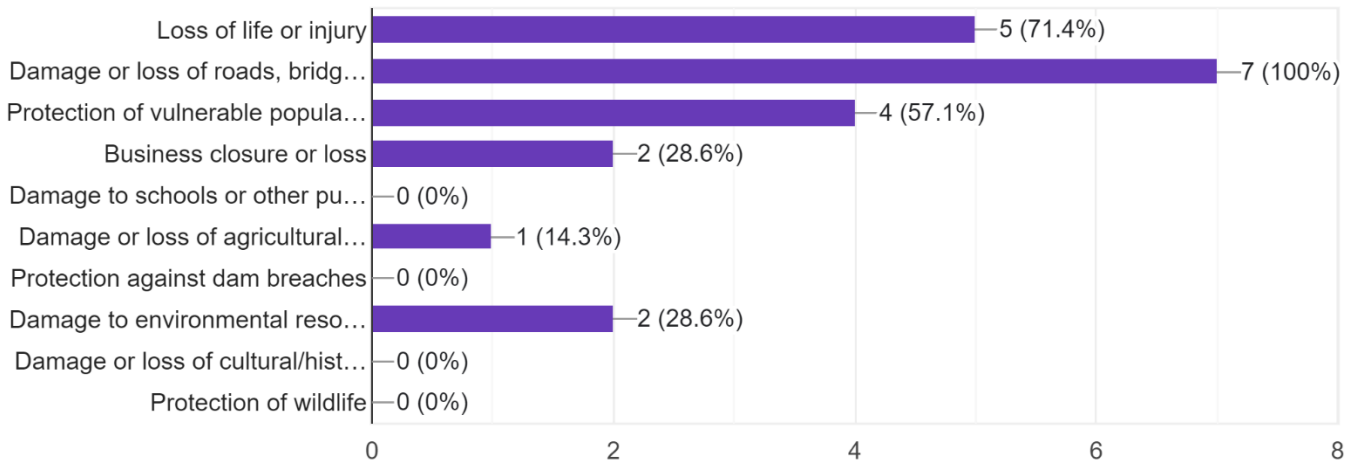
4) Have you seen areas in the community damaged during a past severe weather event?

7 responses



5) In your opinion, which of the following are most important to protect against potential future severe weather impacts in Waitsfield? Please check up to 3 boxes.

7 responses



6) In this context, hazard mitigation is a sustained measure that reduces or eliminates long-term risk to people and property from the effects of natural disasters. Which of the following would you like to see the community prioritize?

7 responses



7) Anything else you would like to provide for consideration and incorporation into the Waitsfield Local Hazard Mitigation Plan?

1 response

We need to focus more on how to contain the river; such as dredging! the river, building berms & walls! Our rivers are overflowing into towns (MRV, Montpelier, etc.) and dredging would not kill off wildlife- it would enhance it! For example~ the Mad River in town is so shallow that we now see islands of loose sand/stones that blocks the natural flow it used to have!

Waitsfield LHMP community survey

This is an opportunity for the residents of Waitsfield to have their voices heard for prioritizing hazard mitigation projects for the town and strategies for the next 5 years.

1. 1) How long have you lived in or owned a business or property in Waitsfield?

Mark only one oval.

- ☐ Less than a year
☐ One to Five years
☐ More than Five years

2. 2) Have you experienced damage during a past severe weather event?

Mark only one oval.

- ☐ Yes
☐ No

3. 3) Is your home or business property located in a FEMA designated floodplain? If yes, do you have insurance through the National Flood Insurance Program (NFIP)?

Mark only one oval.

- ☐ Yes
☐ No
☐ I don't know

4. 4) Have you seen areas in the community damaged during a past severe weather event?

Mark only one oval.

- ☐ Yes
☐ No
☐ Did not answer

5. 5) In your opinion, which of the following are most important to protect against potential future severe weather impacts in Waitsfield? Please check up to 3 boxes.

Check all that apply.

- ☐ Loss of life or injury
☐ Damage or loss of roads, bridges, utility infrastructure
☐ Protection of vulnerable populations
☐ Business closure or loss
☐ Damage to schools or other public property (e.g., parks, buildings)
☐ Damage or loss of agricultural operations
☐ Protection against dam breaches
☐ Damage to environmental resources (e.g., wetlands, ponds, rivers, forests)
☐ Damage or loss of cultural/historic properties
☐ Protection of wildlife

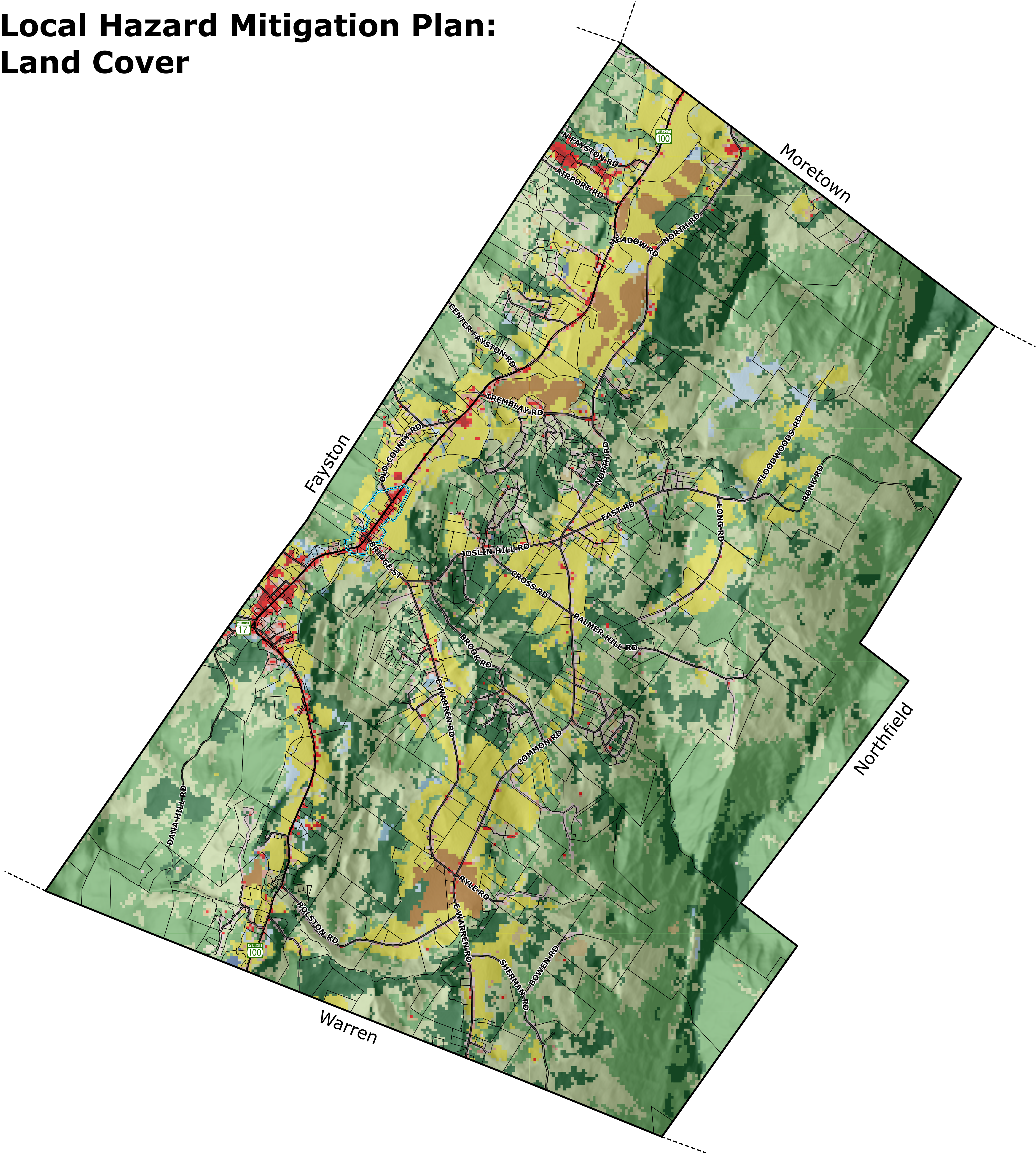
6. 6) In this context, hazard mitigation is a sustained measure that reduces or eliminates long-term risk to people and property from the effects of natural hazards (defined as severe weather events). What types of hazard mitigation measures would you like to see the community prioritize?

7. 7) Anything else you would like to provide for consideration and incorporation into the Waitsfield Local Hazard Mitigation Plan?

This content is neither created nor endorsed by Google.

Google Forms

Local Hazard Mitigation Plan: Land Cover



Data Resources

Parcels: Waitfield Parcel Boundaries (2023, VCGI)
State Village Center Designation: Village Center Boundary (2024, ACCD)
Roads: Vermont Agency of Transportation - Road Centerlines (2021, VCGI)
National Land Cover Dataset - (2021, Multi-Resolution Land Cover Consortium)

Map Notes

Date: 22 July 2024
File: N:\Towns\Waitfield\Waitfield.aprx
Contact: cvrpc@cvregion.com

Disclaimer

This map is for planning & assessment purposes only. It is neither a survey product nor intended to be used for conveyance, legal boundary definition or property title. Users are encouraged to examine the data documentation for information related to its accuracy, currency and limitations.

Legend

Boundaries

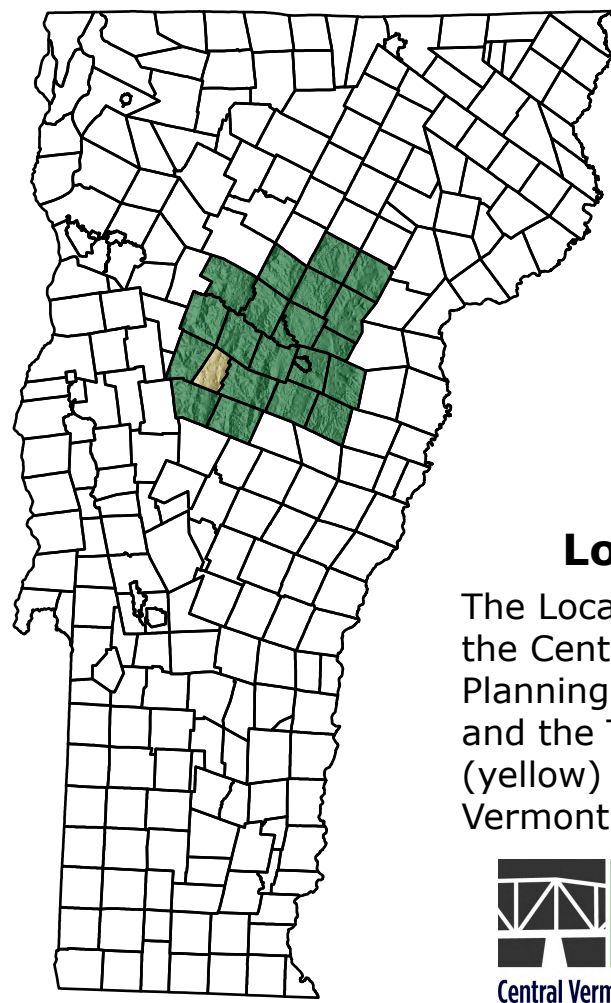
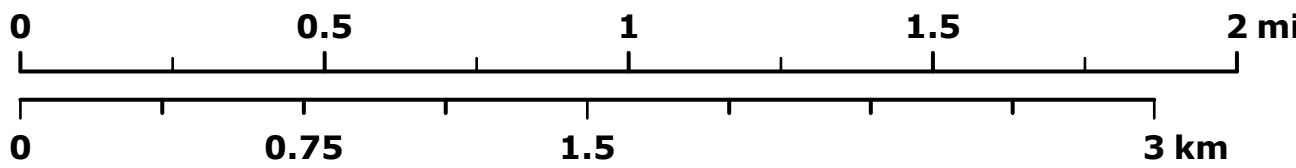
- Parcel Boundary
- Designated Village Center
- Town Boundary

Roads

- Class I, II & III Town Highways
- Class IV & Forest Highways
- Legal Trail
- Private Road
- VT Route
- Discontinued Road

National Land Cover Dataset (2021)

- Open Water
- Developed, Open Space
- Developed, Low Intensity
- Developed, Medium Intensity
- Developed High Intensity
- Barren Land (Rock/Sand/Clay)
- Deciduous Forest
- Evergreen Forest
- Mixed Forest
- Shrub/Scrub
- Grassland/Herbaceous
- Pasture/Hay
- Cultivated Crops
- Woody Wetlands
- Emergent Herbaceous Wetlands

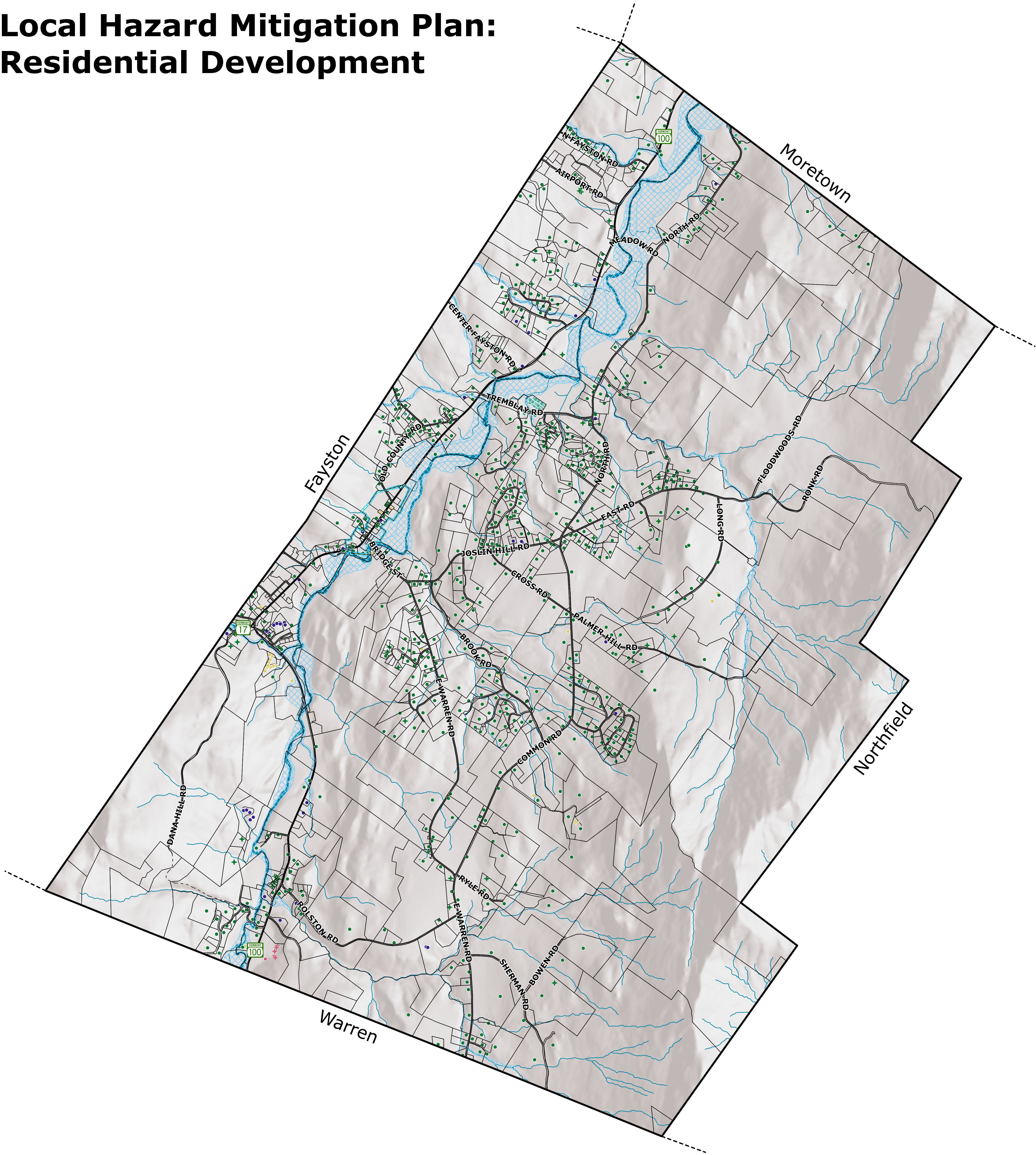


Location Map

The Location Map displays the Central Vermont Regional Planning Commission (green) and the Town of Waitfield (yellow) within the State of Vermont.



Local Hazard Mitigation Plan: Residential Development



Data Resources

Parcels: Waittsfield Parcel Boundaries (2023, VCGI)
Roads: Vermont Agency of Transportation - Road Centerlines (2021, VCGI)
Surface Water: Vermont Hydrography Dataset (2020, VCGI)
FEMA Flood Hazard Area: National Flood Hazard Layer (2015, FEMA)
Structures: E911 Site Location (address points) (2024, VCGI)

Map Notes

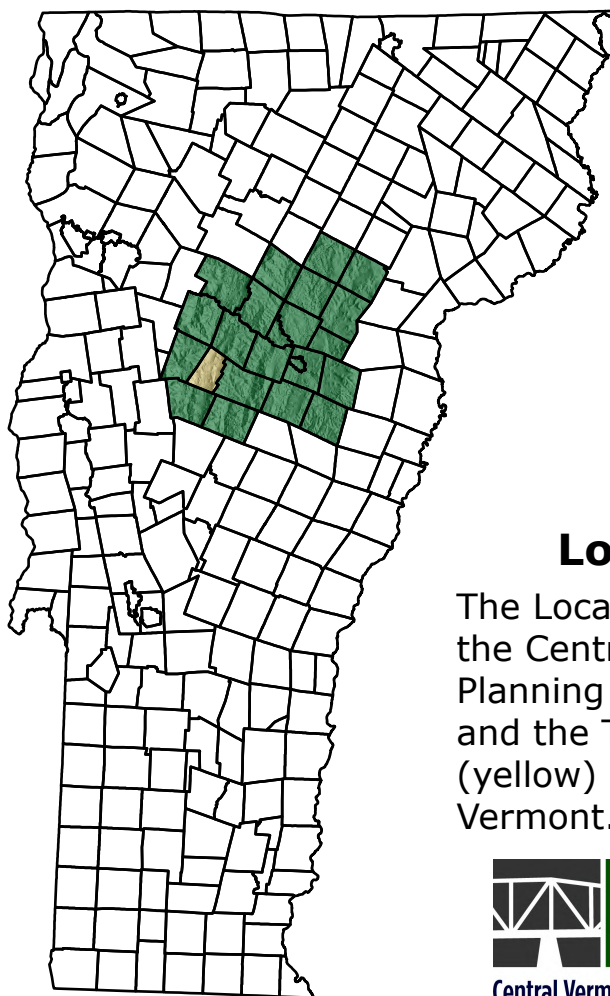
Date: 22 July 2024
File: N:\Towns\Waittsfield\Waittsfield.aprx
Contact: cvrpc@cvregion.com

Disclaimer

This map is for planning & assessment purposes only. It is neither a survey product nor intended to be used for conveyance, legal boundary definition or property title. Users are encouraged to examine the data documentation for information related to its accuracy, currency and limitations.

Legend

- | | | |
|---|--|---|
| Boundaries <ul style="list-style-type: none">Parcel BoundaryTown BoundaryDesignated Village CenterSpecial Flood Hazard Area | Residential Development
Pre-2019 <ul style="list-style-type: none">Mobile HomeSingle Family DwellingMulti-Family DwellingOther ResidentialInstitutional Residence Post-2019 <ul style="list-style-type: none">Single Family DwellingOther ResidentialInstitutional Residence | Roads <ul style="list-style-type: none">Class I, II & III Town HighwaysClass IV & Forest HighwaysLegal TrailPrivate RoadVT RouteDiscontinued Road |
|---|--|---|

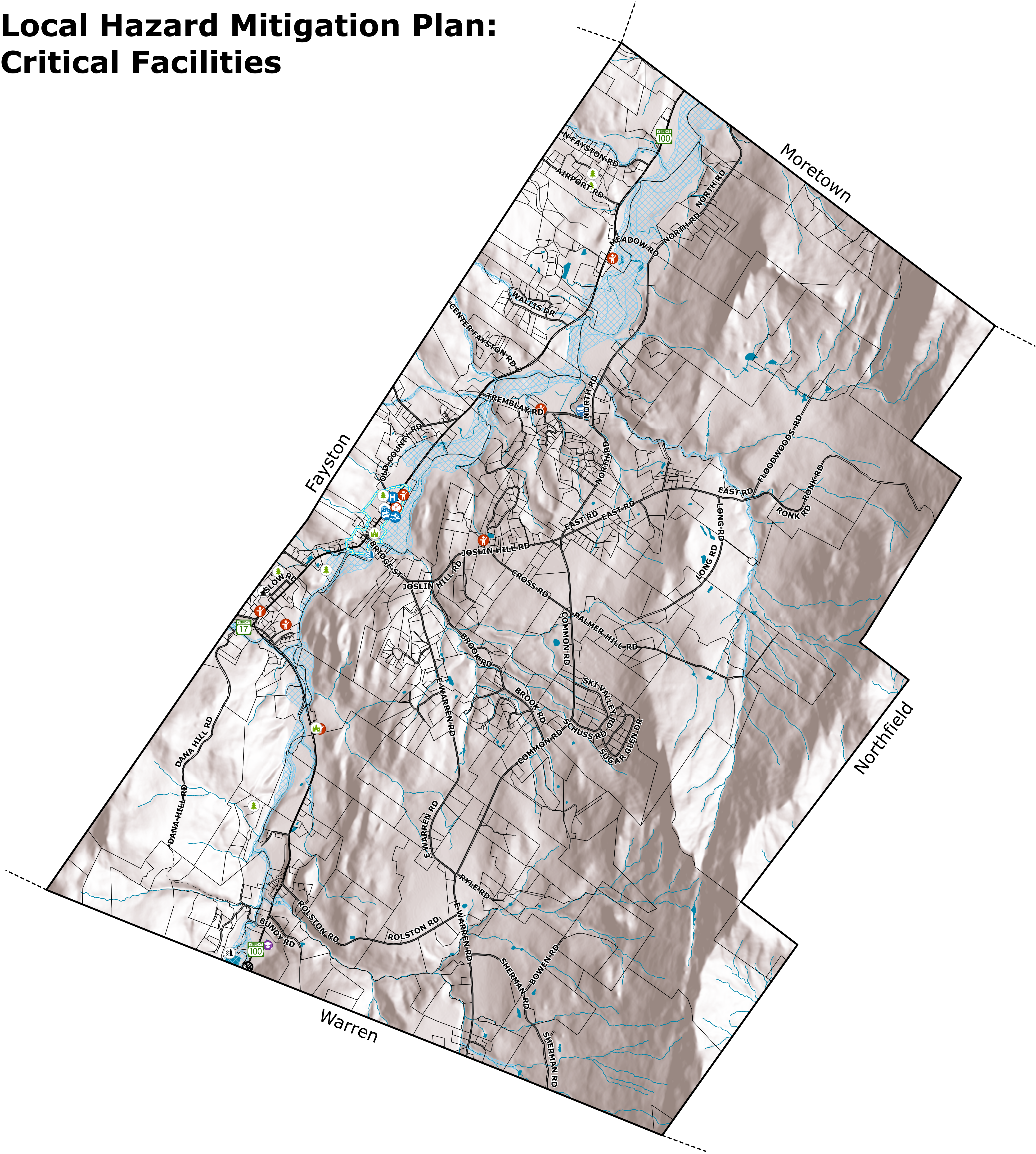


Location Map

The Location Map displays the Central Vermont Regional Planning Commission (green) and the Town of Waittsfield (yellow) within the State of Vermont.



Local Hazard Mitigation Plan: Critical Facilities



Data Resources

Parcels: Waitsfield Parcel Boundaries (2023, VCGI)
State Village Center Designation: Village Center Boundary (2024, ACCD)
Surface Water: Vermont Hydrography Dataset (2020, VCGI)
Special Flood Hazard Area: National Flood Hazard Layer (2015, FEMA)
Dam Inventory: DEC Dam Safety and Hydrology (VCGI, 2022)
Critical Facilities: E911 Site Location (2022, VCGI)
Roads: Vermont Agency of Transportation - Road Centerlines (2021, VCGI)

Map Notes

Date: 17 July 2024
File: N:\Towns\Waitsfield\Waitsfield.aprx
Contact: cvrpc@cvregion.com

Disclaimer

This map is for planning & assessment purposes only. It is neither a survey product nor intended to be used for conveyance, legal boundary definition or property title. Users are encouraged to examine the data documentation for information related to its accuracy, currency and limitations.

Legend

Boundaries

- Parcel Boundary
- Designated Village Center
- Town Boundary
- Special Flood Hazard Area

Surface Water

- Rivers & Streams
- Lakes & Ponds

Dams

- Breached
- In Service

Cultural Facilities

- Recreation
- House of Worship
- Public Phone

Educational Facilities

- Daycare / Pre-school
- School (K - 12)

Emergency Services

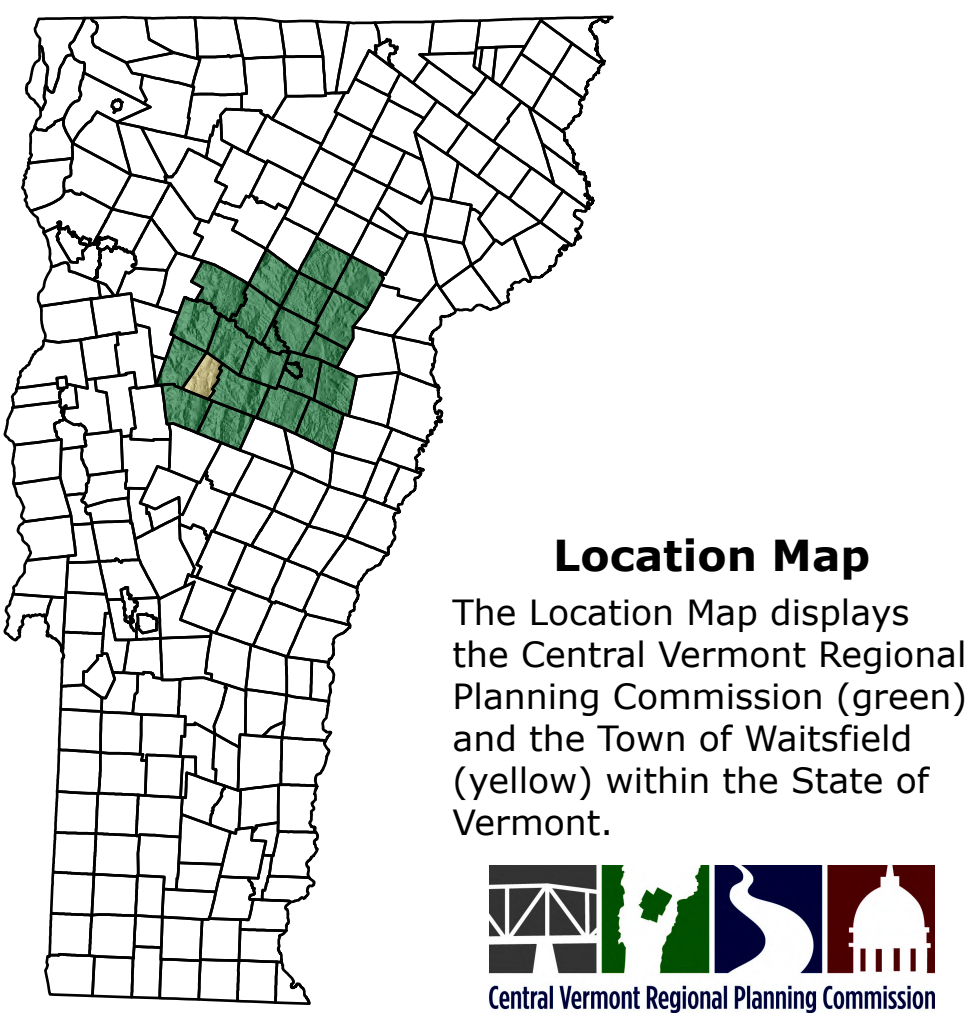
- Fire Station
- Ambulance Service
- Helipad / Heliport
- Health Clinic

Government Facility

- Town Office
- Town Garage
- State / Federal Government

Roads

- Class I, II & III Town Highways
- Class IV & Forest Highways
- Legal Trail
- Private Road
- VT Route
- Discontinued Road

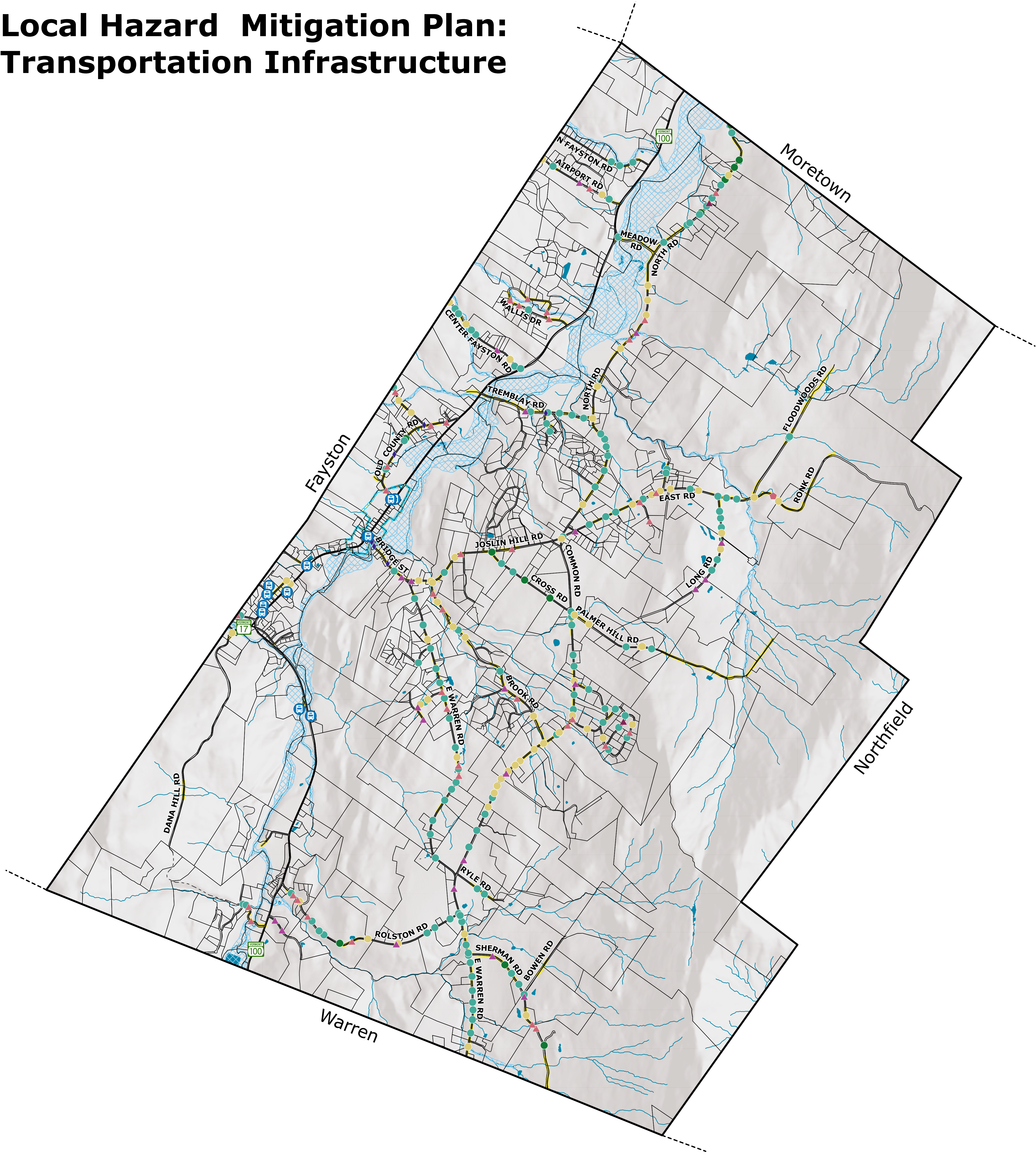


Location Map

The Location Map displays the Central Vermont Regional Planning Commission (green) and the Town of Waitsfield (yellow) within the State of Vermont.

Central Vermont Regional Planning Commission

Local Hazard Mitigation Plan: Transportation Infrastructure



Data Resources

Parcels: Waitfield Parcel Boundaries (2023, VCGI)
State Village Center Designation: Village Center Boundary (2024, ACCD)
Surface Water: Vermont Hydrography Dataset (2020, VCGI)
Special Flood Hazard Area: National Flood Hazard Layer (2015, FEMA)
Infrastructure Condition: Bridge & Culvert Inventory (2023, CVRPC)
Roads: Vermont Agency of Transportation - Road Centerlines (2021, VCGI)
Hydrologically Connected Road Segments: Agency of Natural Resources (2019, VCGI)

Map Notes

Date: 17 July 2024
File: N:\Towns\Waitfield\Waitfield.aprx
Contact: cvrpc@cvregion.com

Disclaimer

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Legend

Boundaries

- Parcel Boundary
- Town Boundary
- Designated Village Center
- Special Flood Hazard Area
- Surface Water
 - Rivers & Streams
 - Lakes & Ponds

Culverts

- Excellent
- Good
- Fair
- Poor
- Closed
- Urgent / Critical
- Unknown

Bridges

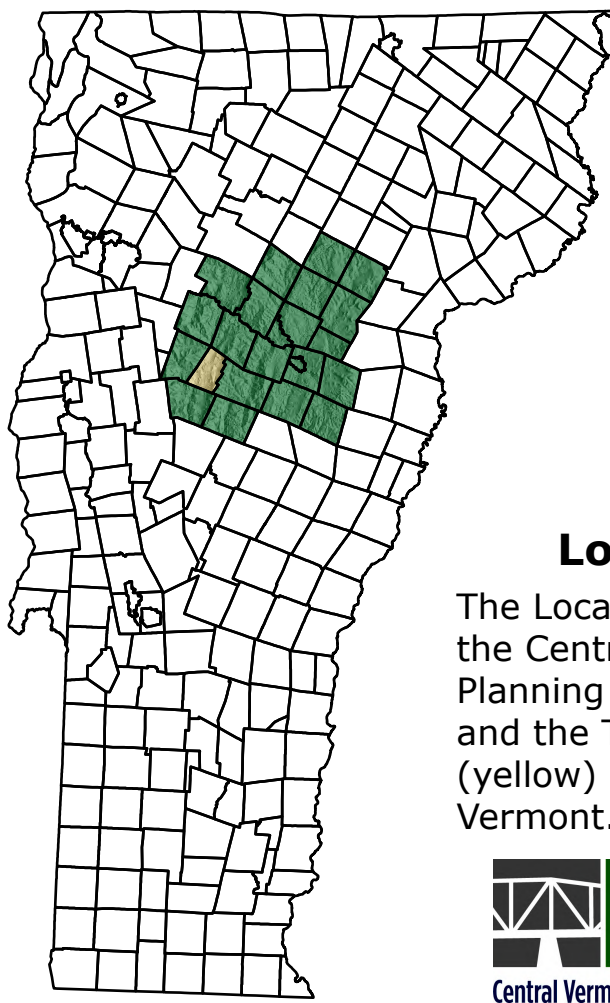
- Fair
- Poor

Public Transit

- Bus Stops

Roads

- Class I, II & III Town Highways
- Class IV & Forest Highways
- Legal Trail
- Private Road
- VT Route
- Discontinued Road
- Hydrologically Connected Road Segment

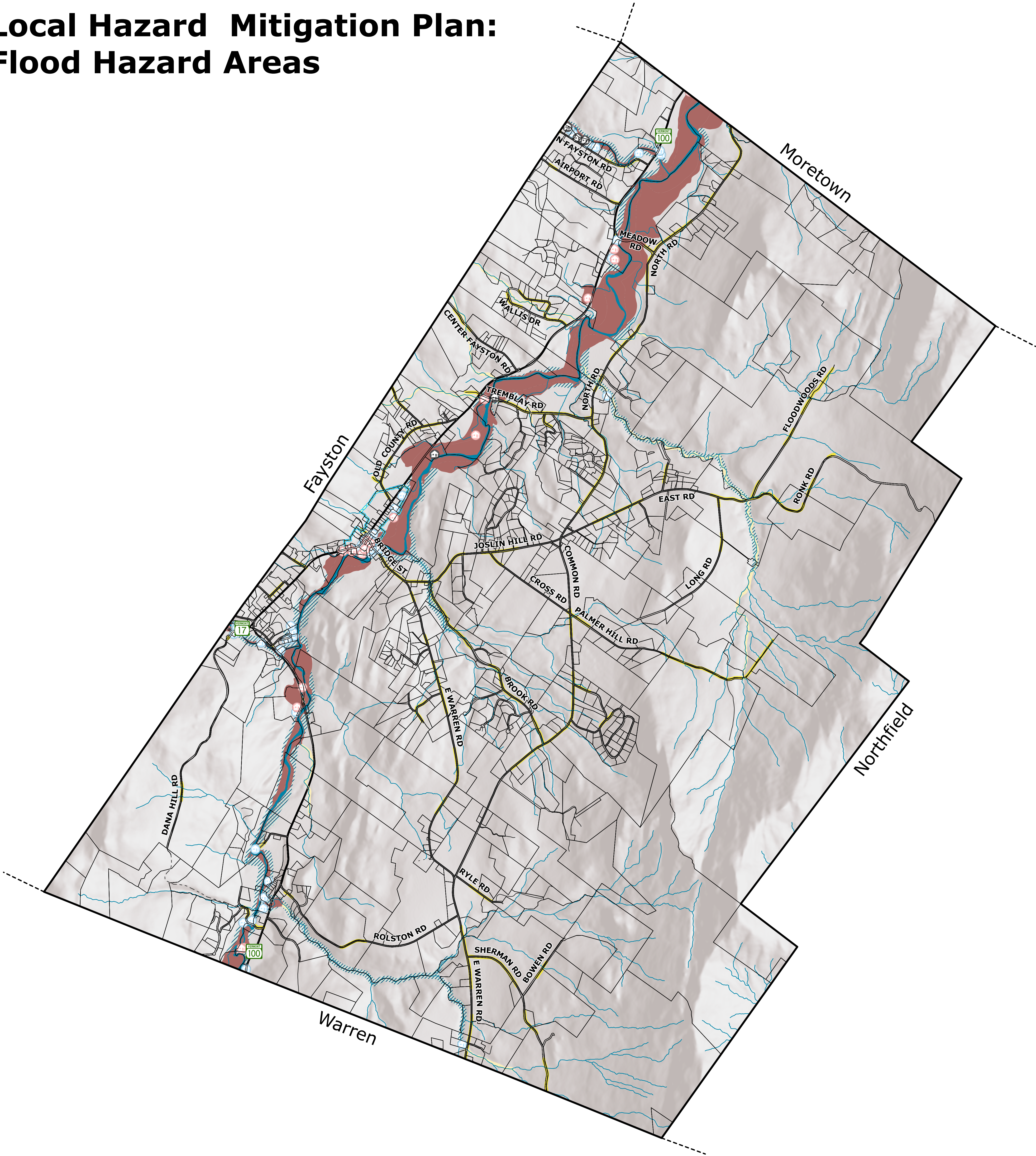


Location Map

The Location Map displays the Central Vermont Regional Planning Commission (green) and the Town of Waitfield (yellow) within the State of Vermont.



Local Hazard Mitigation Plan: Flood Hazard Areas



Data Resources

Parcels: Waitfield Parcel Boundaries (2023, VCGI)
State Village Center Designation: Village Center Boundary (2024, ACCD)
Surface Water: Vermont Hydrography Dataset (2020, VCGI)
At-risk Structures: Derived data (CVRPC, 2024)
FEMA Flood Hazard Area: National Flood Hazard Layer (2015, FEMA)
Roads: Vermont Agency of Transportation - Road Centerlines (2021, VCGI)
Hydrologically Connected Road Segments: Agency of Natural Resources (2019, VCGI)

Map Notes

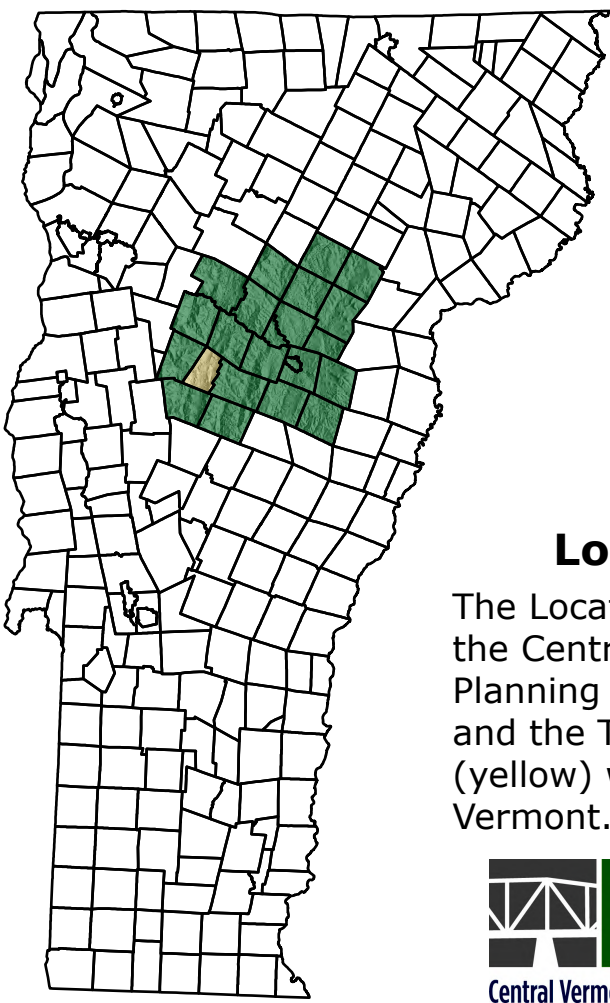
Date: 17 July 2024
File: N:\Towns\Waitfield\Waitfield.aprx
Contact: cvrpc@cvregion.com

Disclaimer

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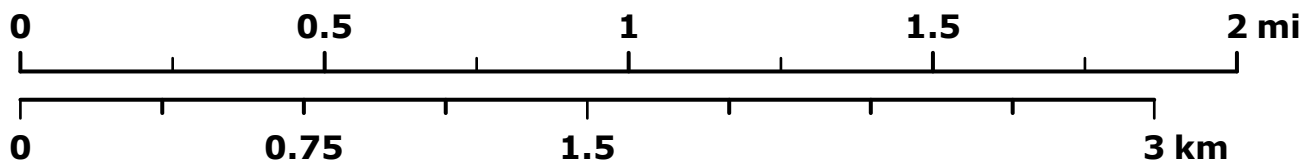
Legend

- | | | |
|---|---|---|
| Boundaries <ul style="list-style-type: none">Parcel BoundaryDesignated Village CenterTown Boundary | At-risk Structures <ul style="list-style-type: none">River CorridorFlood Hazard AreaFloodway | Roads <ul style="list-style-type: none">Class I, II & III Town HighwaysClass IV & Forest HighwaysLegal TrailPrivate RoadVT RouteDiscontinued RoadHydrologically Connected Road Segment |
| Surface Water <ul style="list-style-type: none">Rivers & StreamsLakes & Ponds | Flood Hazard Areas <ul style="list-style-type: none">Zone AZone AEZone XFloodwayRiver Corridor | |



Location Map

The Location Map displays the Central Vermont Regional Planning Commission (green) and the Town of Waitfield (yellow) within the State of Vermont.



Town of Waitsfield

Service Contract

This Contract (the “**Agreement**”) is entered into _____ (the “**Effective Date**”) by and between The Town of Waitsfield (“**Waitsfield**”) located at 4144 Main Street, Waitsfield, Vermont and Sinuosity, LLC (the “**Contractor**”) located in Morristown, Vermont 05661 also individually referred to as the “**Party**”, and collectively the “**Parties**”.

1. **Services.** The Contractor shall perform the services listed in the attached Description of Services (the “Services”).
2. **Compensation.** The Customer agrees to pay the Contractor up to **\$2,425.00** as payment for the Services provided. This fee will be paid in accordance with the following schedule:

1) Completion of Trail Design and Flagging:	<u>\$975.00</u>
2) Generate Maps of Trail Alignment and Structures:	<u>\$200.00</u>
3) Generate Two Opinions of Probable Costs:	<u>\$300.00</u>
4) Assist with Project Kickoff and Review:	<u>\$150.00</u>
5) Provide Permitting and Grant Support	up to <u>\$800.00</u>

3. **Payment.** The Conservation Commission will do a quality control review to ensure the tasks were completed satisfactorily in accordance with the Description of Services (attached) and this contract. Once tasks 1) through 4) are approved with no punch list items, the Contractor shall submit an invoice to the Town Treasurer at Waitsfld@gmavt.net. The Contractor shall submit a final invoice to the Town Treasurer following completion of task 5) if the service is determined to be required. A check will be issued within 30 days after receipt of the invoices.

4. **Term.** The term of this Agreement shall commence on the Effective Date, as stated above, and until December 31, 2025, unless otherwise terminated per the terms of this Agreement.

5. **Schedule.** The Contractor shall complete tasks 1) through 3) the 2024 field season, and tasks 4) and 5) as necessary by November 30, 2024.

6. **Termination.**

6.1. The Town of Waitsfield retains the right to terminate the Agreement, should the Contractor fail to perform as instructed in the contract or for convenience. The town may terminate performance of work under this contract in whole or, from time to time, in part if determined that a termination is in the Town's interest. Terminate by delivering to the Contractor a Notice of Termination specifying the extent of termination and the effective date. The Town shall still remain obligated to pay the Contractor for any Services performed up to the date of termination and any expenses approved, but not paid, prior to the date of termination.

6.2. This Agreement will automatically terminate when both Parties have performed all of their obligations under the Agreement and all payments have been received.

7. **Relationship of the Parties.**

7.1. **No Exclusivity.** The Parties understand this Agreement is not an exclusive arrangement. The Parties agree they are free to enter into other similar agreements with other parties. The Contractor agrees they will not enter into any agreements that conflict with their obligations under this Agreement.

8. **Dispute Resolution.**

8.1. **Choice of Law.** The Parties agree that this Agreement shall be governed by the State and/or Country in which the duties of this Agreement are expected to take place. In the event that the duties of this Agreement are to take place in multiple States and/or Countries, this Agreement shall be governed by Vermont law.

8.2. **Negotiation.** In the event of a dispute, the Parties agree to work towards a resolution through good faith negotiation.

8.3. **Mediation or Binding Arbitration.** In the event that a dispute cannot be resolved through good faith negotiation, the Parties agree to submit to binding mediation or arbitration.

8.4. **ACKNOWLEDGMENT OF ARBITRATION**

I understand that this agreement contains an agreement to arbitrate. After signing this document, I understand that I will not be able to bring a lawsuit concerning any dispute that may arise which is covered by the arbitration agreement, unless it involves a question of constitutional or civil rights. Instead, I agree to submit any such dispute to the impartial arbitrator.

9. **General.**

9.1. **Assignment.** The Parties may not assign their rights and/or obligations under this Agreement.

9.2. **Complete Contract.** This Agreement constitutes the Parties entire understanding of their rights and obligations. This Agreement supersedes any other written or verbal communications between the Parties. Any subsequent changes to this Agreement must be made in writing and signed by both Parties.

9.3. **Severability.** If any section of this Agreement is found to be invalid, illegal, or unenforceable, the rest of this Agreement will still be enforceable.

9.4. **Waiver.** Neither Party can waive any provision of this Agreement, or any rights or obligations under this Agreement, unless agreed to in writing. If any provision, right, or obligation is waived, it is only waived to the extent agreed to in writing.

9.5. **Point of Contact.** Should the contractor wish to propose any changes in the timing, cost, or scope of work changes to this contract, he shall contact Curt Lindberg, Chair, Waitsfield Conservation Commission (wcclindberg@gmail.com, 609-647-9832).

Attachment: Description of Services

Trail Relocation- Phases 2 & 3

Proposal for Trail Design and Construction Preparation

Brief Description

This proposal for Trail Design and Construction Preparation for Phases 2 & 3 of the Scrag Mountain Town Forest Trail Relocation has been prepared for the Waitsfield Conservation Commission at the request of their project representative in preparation for project continuation in the 2024 field season.

Scope of Work

Trail Design and Construction Preparation

Design Trail - Refining and Flagging the Conceptual Alignments

- Using the pre-approved conceptual design, flag trail alignment in field for segments for Phase 2 & 3
- Field inventory flagged trail(s) for construction costs, structures, etc. and collect GIS data on locations
- Collect GIS data on flagged alignments in field, using GPS

Deliverables: Flagged trail alignments for Phase 2 and Phase 3 trail segments, (accurate within 5'), accompanying GIS data (.kml or .gpx files)

Generate Maps

- Develop final map and GIS files for each trail segment to be used for fundraising and construction preparation

Deliverables: Maps (2) showing locations of Phase 2 and Phase 3 trail re-locations on basemap of property and trail network, Maps (2) showing location of any anticipated trail structures for both Phase 2 and Phase 3 trail relocations

Opinion of Probable Cost

- Assess and compile anticipated construction costs and accompanying maps into an Opinion of Probable Cost, including and construction recommendations to be used for fundraising, any required permits, as well as preparing for construction

Deliverables: Document of Opinion of Probable Costs for both Phase 2 & Phase 3 of trail re-location, including maps of trail locations and inventory of any necessary trail structures, Final Review meeting

Permit and Grant Application Support *

- Prepare maps and materials specific to permit and/or grant applications, as requested by the Conservation Commission specific to moving the trail project from design to implementation

Deliverables: May vary, to include emails and narratives for permit applications, map preparation specific to grant applications or permitting

**This support is as-needed/requested, and will be tracked on an hourly basis not to exceed the budgeted amount without approval*

Proposed Project Timeline

This Scope of Work is being proposed to be completed within the 2024 field season.

Compensation

Activity	Cost
1) Trail Design and Flagging of Pre-Approved Conceptual Designs	
a) Phase 2 Segment	\$400
i) Flag Trail Alignment (~.75 miles)	\$ 50
ii) Collect GIS location data	\$100
iii) Create inventory of structures and locations	
b) Phase 3 Segment	\$300
i) Flag Trail Alignment (~.5 miles)	\$ 50
ii) Collect GIS location data	\$ 75
iii) Create inventory of structures and locations	
2) Generate maps of trail alignments and trail structure locations	\$100
a) Phase 2	
b) Phase 3	\$100
3) Generate Opinion of Probable Cost for each trail segment	
a) Phase 2	\$150
b) Phase 3	\$150
4) Project kick off and Review	\$150
5) Permitting and grant support *	\$800
Total	\$2,425

* Labor in support of permits and grant preparation as needed, billed hourly not to exceed \$800 without notification/approval.

The Parties agree to the terms and conditions set forth above as demonstrated by their signatures as follows:

Waitsfield

Signed: _____

Name: _____

Date: _____

Contractor

Signed: _____

Name: _____

Date: _____



TOWN OF WAITSFIELD

MEMORANDUM

TO: Waitsfield Selectboard

FROM: Sandy Gallup, Assistant Town Treasurer

DATE: August 1, 2024

SUBJECT: FY24 4th Quarter Budget Status Report

This report provides an overview of the 4th Quarter of Fiscal Year for 2024, including a Budget Status Overview and a Detailed Budget Status Report for General Fund 01 and Capital Fund 02. The aggregate of these funds make up the Town Budget that was approved in March of 2023. 101% of budgeted revenue has been received and 90% of expenditures have been paid. The preliminary projection for the end of year unassigned fund balance is \$932,422 (up \$291,548).

Revenues: For the year, revenue exceeded the budget by \$35,243. Property tax receipts (our largest revenue) are at 99%. As of June 30th, the amount of delinquent taxes was \$107,620. This is 1.3% of the total property taxes and is consistent with the past due amounts for previous years. Interest income is significantly higher than usual based on the exceptionally high yields on our investment accounts. Zoning revenue and Current Use Reimbursements were also higher than budgeted.

Expenditures: There were very few areas that were over the budgeted amount and the overages were small (less than 10%). Areas that were substantially under the projections were Paving Projects (\$65,000), Town Garage (\$15,000), MRGP Grant Match (\$7,500), Town Office Operations (\$22,593), Town Administrator salary (\$20,594), Road Department Salaries (\$18,467), Road Department Materials (\$37,936), Employee Benefits (\$49,081), and Constable Expense (\$8,500). The total amount of unspent funds was \$261,595.

Cash Flow: The Town checking account balance is \$1,111,254. This includes the unassigned fund balance and ARPA funds. The Town has approximately \$224,000 waste water expenditures that have been paid but not reimbursed by grants or loans.

FY 2024 Loans: The Town has a new Loan Agreement for \$381,766 with the Vermont State Revolving Fund for Waste Water Planning. On June 11, 2024, the Town voters approved general obligation bonds in an amount not to exceed \$15,005,518 for financing the community waste water improvements, subject to reduction by State and federal funds.

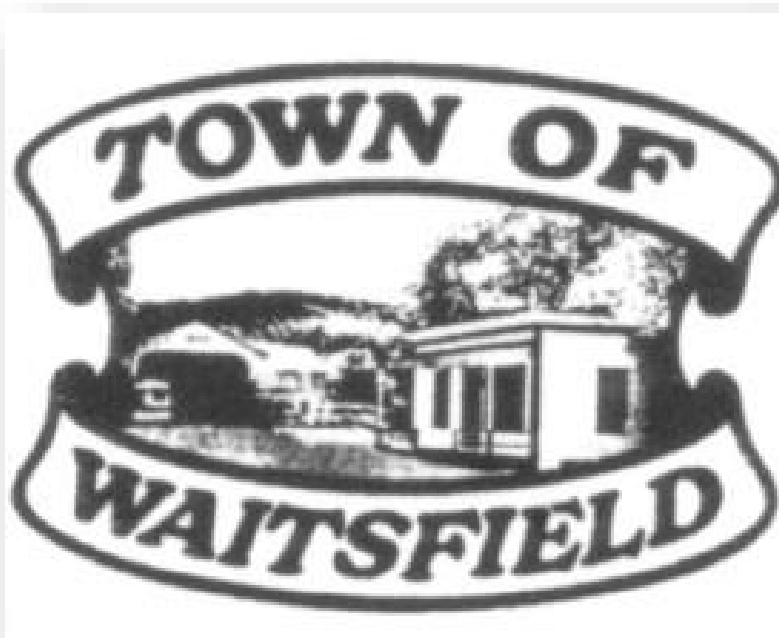
FY 2024 Grants: The Town accepted a Lake Champlain Basin Grant for knotweed mitigation for \$100,000. The Town received \$175,000 from a State's Town Highway Structures Grant (awarded in 2017). We also received \$10,000 in a Bylaw Modernization Grant. A \$12,000 Best Management Practice Road grant was approved by the State but these funds have not been received yet. The Town has an active Waste Water Grant project as well as ARPA Grant transactions.

Capital Purchases: The Town purchased a \$74,748 Ventrac Tractor and trailer in August of 2023 using a combination of Road Equipment Reserve funds and APRA grant monies.

Please let me know if you have questions or would like to request additional information.

Town of Waitsfield- Budget Status Summary Report FY24				Q4		
Period Ending JUNE 30, 2024 (100% of the year)					Actual % of Budget	Education Taxes Received
General Fund Revenue	Actual 2023	Budget 2024	Actual - thru June FY2024			
Taxes	\$ 2,073,507.87	\$ 2,242,576.00	\$ 2,222,985.15	99%		\$ 6,214,361.88
Town Clerk Fees	\$ 28,844.95	\$ 35,000.00	\$ 34,882.07	100%		
Interest Income	\$ 18,534.97	\$ 10,000.00	\$ 55,274.92	553%		
Beverage Sale Permits	\$ 3,970.00	\$ 4,000.00	\$ 1,695.00	42%		
Zoning Income	\$ 17,176.10	\$ 11,000.00	\$ 17,119.42	156%		
Act 60 Support	\$ 10,830.00	\$ 10,500.00	\$ 10,839.50	103%		
Penalty Budget Year	\$ 12,827.11	\$ 15,000.00	\$ 9,535.77	64%		
State Aid to Highways	\$ 74,123.17	\$ 74,000.00	\$ 76,331.97	103%		
Road Dept Grant Revenue	\$ 9,400.00	\$ -	\$ -	0%		
Road Dept Other Income	\$ 1,000.00	\$ 2,000.00	\$ 2,185.00	109%		
Insurance Claim/Audit Income	\$ 524.00	\$ -	\$ 587.00	0%		
Fire Dept - Fayston	\$ 54,882.88	\$ 68,185.00	\$ 55,912.72	82%		
FD Admin Services	\$ -	\$ 5,290.00	\$ 5,290.00	0%		
Traffic Control Income	\$ 5,095.67	\$ 5,000.00	\$ 4,157.02	83%		
Dog Impoundment Fee	\$ 721.55	\$ 150.00	\$ -	0%		
PILOT Program	\$ 6,238.93	\$ 6,000.00	\$ 6,814.93	114%		
Current Use Reimbursement	\$ 110,612.00	\$ 106,500.00	\$ 126,963.50	119%		
Delinquent Tax Interest	\$ 23,311.58	\$ 16,500.00	\$ 17,694.16	107%		
Insurance Reimb Library/Wait H	\$ 6,353.00	\$ 5,200.00	\$ 5,710.42	110%		
Water Operations Reimb	\$ 3,575.00	\$ 5,000.00	\$ 6,750.94	135%		
Planning Grant	\$ 17,500.00	\$ -	\$ 10,000.00			
Misc. Income	\$ 1,215.31	\$ -	\$ 3,240.85			
Capital Fund 2 Revenue	\$ 58,004.18	\$ 52,000.00	\$ 35,173.76	68%		
Total General Fund Revenue	\$ 2,538,248.27	\$ 2,673,901.00	\$ 2,709,144.10	101%		
General Fund Expenditures						
Town Meeting/Elections	\$ 1,292.47	\$ 3,500.00	\$ 2,554.67	73%		
Legal & Auditing	\$ 27,066.29	\$ 35,000.00	\$ 34,184.82	98%		
Town Office Operations	\$ 71,895.82	\$ 97,320.00	\$ 74,727.84	77%		
Town Clerk & Treasurer	\$ 102,248.84	\$ 125,362.00	\$ 131,890.57	105%		
Selectboard	\$ 74,402.07	\$ 90,272.00	\$ 66,181.00	73%		
Planning & Zoning	\$ 82,628.14	\$ 75,619.00	\$ 76,507.62	101%		
Board of Listers	\$ 26,919.82	\$ 29,200.00	\$ 27,698.25	95%		
Collector of Deliq. Taxes	\$ 11,705.30	\$ 13,500.00	\$ 9,837.61	73%		
Conservation Commission	\$ 4,999.60	\$ 5,000.00	\$ 5,000.00	100%		
Road Dept. Labor	\$ 200,601.25	\$ 254,241.00	\$ 235,773.97	93%		
Road Dept Equip Operations/Repairs	\$ 116,889.33	\$ 98,370.00	\$ 105,682.22	107%		
Road Dept Hired Equip & Labor	\$ 29,801.00	\$ 12,300.00	\$ 10,135.00	82%		
Road Dept Materials	\$ 131,896.88	\$ 192,000.00	\$ 154,064.21	80%		
Road Dept. Misc.	\$ 22,365.71	\$ 33,445.00	\$ 24,032.42	72%		
Road Subtotal	\$ 501,554.17	\$ 590,356.00	\$ 529,687.82			
Employee Benefits	\$ 179,481.55	\$ 248,907.00	\$ 199,828.82	80%		
Fire Department	\$ 149,388.10	\$ 174,835.00	\$ 172,738.04	99%		
Public Safety	\$ 56,155.74	\$ 72,787.00	\$ 63,778.79	88%		
Dues & Assessments	\$ 217,279.77	\$ 222,042.00	\$ 226,804.02	102%		
Special Appropriations	\$ 22,470.00	\$ 22,469.00	\$ 21,820.00	97%		
Transfer to Capital Fund 2	\$ -	\$ -	\$ -			
Transfer to Other Funds	\$ -	\$ -	\$ -			
Miscellaneous	\$ 29,434.75	\$ 46,100.00	\$ 40,185.71	87%		
Contribution to Reserves	\$ 488,000.00	\$ 544,500.00	\$ 544,500.00	100%		
Capital Fund 2 Expenditures	\$ 286,618.31	\$ 277,132.00	\$ 189,670.42	68%		
Education Taxes Paid to School/State	\$ -	\$ -	\$ -			\$ 6,214,361.88
Total General Fund Expenditures	\$ 2,333,540.74	\$ 2,673,901.00	\$ 2,417,596.00	90%		
Revenue Less Expenditures GF & Capital FD			\$ 291,548.10			

Cash Balance - Checking 6/30/2024 \$ 1,111,254.00



TOWN OF WAITSFIELD, VERMONT PERSONNEL POLICY

(as amended and adopted 8/12/24)

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Waitsfield Personnel Policy Draft 8/12/24

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Appendix C – Position listing – exempt/non-exempt, salaried/hourly, etc.

Appendix D – Health Insurance

1

2 ***TOWN OF WAITSFIELD***

3 **PERSONNEL POLICIES**

4

- 5 I. **PURPOSE:** The following Personnel Policies have been developed in the interest of
- 6 assuring efficient Town operations, clarifying rules for employee conduct, outlining
- 7 employee benefits and their implementation, fostering fairness, and promoting high
- 8 employee morale.
- 9
- 10 II. **APPLICABILITY:** These Personnel Policies shall apply to all full- and regular parttime
- 11 employees of the Town. These policies are not intended to apply to other paid or
- 12 volunteer, appointed, or elected officials. The Selectboard, which adopts these policies,
- 13 retains the responsibility for their administration and interpretation.
- 14
- 15 III. **STATEMENT OF NON-DISCRIMINATION:** It is the policy of the Town of
- 16 Waitsfield that no eligible person be excluded from participation in or be denied the
- 17 benefits of employment with the Town on the basis of race, color, creed, national origin,
- 18 sex, sexual preference, age, disability, political affiliation or belief. The Town of
- 19 Waitsfield is an equal opportunity employer and complies with the Americans with
- 20 Disabilities Act.
- 21
- 22 IV. **APPOINTMENT AT WILL:** Employment with the Town of Waitsfield is considered
- 23 “at will,” and not for any definite period or succession of periods unless otherwise
- 24 specified by the Selectboard and codified in a contract or other formal work agreement.
- 25 Employment with the Town may be terminated either by the employee or by the Town at
- 26 any time without notice except as otherwise provided in these personnel policies, state or
- 27 federal law, or other contract or employment agreement. Wages or salary and any
- 28 accrued and unused vacation leave allowable under these Personnel Policies shall be due
- 29 to the employee only to the day and hour of termination.
- 30
- 31 V. **TERMS OF EMPLOYMENT:**
- 32
- 33 a. **Hiring Process** – The Selectboard shall be responsible for all recruitment and
- 34 hiring. The Selectboard shall be solely responsible for decisions regarding
- 35 recruitment, internal promotion, advertising, application forms, interview
- 36 process, and selection.
- 37
- 38 b. **New Hires** – New employees are required to complete form W-4 for payroll
- 39 tax withholdings and Form I-9 for verification of United States citizenship or
- 40 proper work authorization prior to starting work, in conformance with federal
- 41 law.
- 42

- c. **Probationary Period** – All new employees shall be subject to a six-month probationary period, followed by an evaluation by the employee’s supervisor. The probationary period may be extended for an additional period of as much as three (3) months at the request of a supervisor and with approval of the Selectboard. At the conclusion of the probationary period, the Selectboard may choose to extend as described above or terminate at its discretion. Probationary employees are eligible to use earned leave time with the approval of the supervisor or Selectboard.
- d. **Employee Evaluations** – Evaluations shall be done annually, or upon request of an employee or the Selectboard, in a format established by the Selectboard. An evaluation requested by an employee shall be performed no later than 60 days after the request is made. The Selectboard may delegate evaluations to an employee’s supervisor.
- e. **Termination Notice** – Employees who voluntarily separate from employment with the Town shall give a minimum two (2) weeks of notice in advance of termination.
- f. **Hours of Work** – Regular work schedules shall be established by the Selectboard. Road Department personnel are required to be on-call and available for winter road work and year-round emergencies. Paid leave, including holidays, sick, and vacation days, shall be counted toward the 40-hour threshold for overtime for non-exempt employees. Paid leave, including holidays, sick, and vacation days, shall be counted as hours of work for the purposes of calculating compensatory time for exempt employees (see Section V.i.). The employee’s hours may be distributed across five workdays or in any combination deemed necessary by the Selectboard or supervisor.
- g. **Overtime** – Non-exempt hourly employees shall be paid overtime at the rate of 1.5 times (“time-and-a-half”) the regular hourly rate for hours of work performed in excess of 40 hours in a one-week pay period.
- h. **Holiday Pay** – In the event an employee is called in to work on a holiday, the rate of pay for actual holiday hours worked shall be equal to 1.5 times the employee’s regular hourly rate, regardless of whether or not the total hours worked in the week exceeds 40 hours.
- i. **Compensatory Time** –For exempt employees, compensatory time will be provided on an hour-for-hour basis for actual hours worked in excess of a 40 hour work week.
- j. **Pay** – Pay periods run Sunday to Saturday. Payday will be on Wednesdays on a weekly basis by direct deposit. Time sheets shall be due to the employee processing payroll no later than the close of business on Monday. An

employee failing to submit a time sheet may be paid at a rate and amount equivalent to the employee's normal work week, with any variations deducted from or added to a paycheck(s) to follow. Initial payroll for employees will be staggered by one week.

k. Lateness or Absence – Employees shall notify their supervisor or appropriate colleagues prior to, or as soon as reasonably possible, if they will be late or absent from work. Repeated unexcused lateness or absence from work is grounds for disciplinary action and/or termination.

l. Training and Professional Development – The Town expects that all employees will take advantage of training opportunities approved by the Selectboard or supervisor. Employees will be paid for such time and reimbursed for mileage, meals, etc., when approved in advance by the Selectboard or supervisor.

VI. EMPLOYEE BENEFITS:

a. Health Care Benefits – The Town makes health insurance coverage available to all full-time employees and their families. For the purposes of this section, full-time is defined as an employee with a regular work schedule of 30 hours per week or greater. The Selectboard shall annually determine the amount of the Town's contribution to health insurance costs, particularly premiums. More information on the health insurance offerings and premium allocations can be found in Appendix C.

Employees may also elect a waiver of insurance upon demonstration of coverage from another source, and be entitled to a health insurance buy-out. Details on the health insurance wavier and buyout can be found in Appendix C.

Retiring employees may continue to obtain their health insurance through the Town under a "retiree section" of the Town's group health insurance, if applicable and available, until they reach the age of Medicare eligibility. An employee who has retired will be expected to pay the full premium and all other costs for this insurance; the Town will provide access only.

b. Retirement – The Town participates in the Vermont Municipal Employees Retirement System, Group B. Participation begins at the start of employment. Currently, employees contribute 5.625% of wages as a payroll deduction and the Town contributes 6.25% of wages (these rates are subject to change by the VMERS Board of Trustees). Details concerning the system are available from VMERS or the Town Treasurer and at vermonttreasurer.gov/vmers

- c. **Deferred Compensation Plan** – The Town offers participation in a deferred compensation plan. This plan is a voluntary retirement savings program, created under federal and state law, enabling government employees to contribute as much as \$23,000 (the allowable amount is determined annually under federal IRS rules) of compensation free from current federal and state income taxes to an investment savings plan. The amount saved accumulates tax-deferred until the plan amounts are distributed (generally after retirement). The plan is regulated by the Internal Revenue Code Section 457 and state law. Details concerning the program the Town offers are available from the Town Treasurer.
- d. **Life and Long-Term Disability Insurance** – The Town offers participation to qualified employees (as determined by the insurer’s application process) in a \$25,000 life insurance program and a 60% disability income program. Details about the program the Town offers are available from the Town Treasurer.
- e. **Uniforms** – Road Department employees are provided with uniforms on a weekly basis.
- f. **Commercial Drivers Licenses** – Road Department personnel shall be responsible for maintaining a valid Commercial Drivers License in accordance with state law. After three years of employment with the Town, the Town will pay for license renewals necessary for operation of Town equipment, less standard operator’s license charges.
- g. **Benefit Distribution for New Employees** – Coverage under the benefits described in this section may not apply immediately. The Town’s health insurance buyout may not be issued until an employee has successfully completed his or her probationary period.

VII. EMPLOYEE LEAVE:

- a. **Sick Leave** – An employee may accrue as many as 48 hours (six days) of sick leave each fiscal year. For the purposes of this policy, a standard day of sick leave is the equivalent of eight hours and a standard work week 40 hours. For exempt employees whose regular work week consists of less than 40 hours on average, but is greater than 20 hours per week on average, the total number of sick leave hours accrued shall be prorated based upon the average percentage of hours worked in a standard work week. For example:
 - 1. If an employee works 34 hours per week on average, the accrual rate would be calculated this way: $34.0/40.0 = 0.85$.
 - 2. The prorated number of sick leave hours would be calculated this way:

48 hours x 0.85 = 40.8 hours (or 5.1 days) of sick leave per year. For ease of administration, numbers should be rounded up or down to the nearest whole number. In the example, 40.8 hours would become 41 hours.

The table provides examples based on common and/or current work schedules.

<u>Average Hours per Week</u>	<u>Accrual Rate</u>	<u>Sick Hours</u>	<u>Sick Hours Accrued</u>
40.0	1.00	48.0	48.0
34.0	0.85	40.8	41.0
30.0	0.75	36.0	36.0
20.0	0.50	24.0	24.0

An employee may use sick leave for an illness or injury that prevents the employee from performing the employee's job duties. An employee may also use sick leave to attend the following appointments that cannot be held outside normal working hours:

- A medical appointment
- An appointment eligible for short-term family leave under the provisions of the Vermont Parental and Family Leave Act (21 V.S.A. § 472a).
- A funeral not eligible under the bereavement leave section of this policy.
- Any other appointments authorized in advance by the employee's supervisor.

Upon separation from employment, an employee will not be compensated for unused, accrued sick leave.

If an employee is sick, but has no accumulated sick leave, vacation time may be applied; if no sick or vacation time is available, unpaid leave may be taken. No more than 30 days of sick leave may be carried over into a new year. As of January 1st of each year, any accumulated sick leave over 30 days shall be transferred to vacation days at a rate of 50%, with the remaining 50% portion forfeited.

- b. Vacation** – For the purposes of this policy, a standard day of vacation leave is the equivalent of eight hours. For exempt employees whose regular work week consists of less than 40 hours on average, but is greater than 20 hours per week on average, the total number of vacation leave hours accrued shall be prorated based upon the average percentage of hours worked in a standard work week.

For example:

1. If an employee works 34 hours per week on average, the accrual rate would be calculated this way: $34.0/40.0 = 0.85$.
2. The prorated number of vacation leave hours would be calculated this way for an employee working 34 hours per week in the first year of employment: $80 \text{ hours} \times 0.85 = 68 \text{ hours}$ (or two weeks) of vacation leave per year. For ease of administration, numbers will be rounded up to the nearest whole number.

The table provides examples based on common and/or current work schedules:

		Hours accrued per year or years of service ¹		
Average Hours/Week	Accrual Rate	1 st to 4 th (120 hours)	5 th to 10 th (144 hours)	11 th + (160 hours)
40.0	1.00	120 hours	144 hours	160 hours
34.0	0.85	102 hours	123 hours	136 hours
30.0	0.75	90 hours	108 hours	120 hours
20.0	0.50	60 hours	72 hours	80 hours

Vacation leave shall accumulate by the month, in proportion to the number of hours in the employees' regular work week. Employees beginning work on or before the 15th of the month shall be credited with a full month of service for the purposes of this section. Employees terminating on or after the 16th of the month shall be credited a full month of service for the purposes of this section. No vacation time may be taken during an employee's probationary period without approval of the Selectboard or the employee's supervisor. No more than one year's worth of vacation leave may be carried forward, without the advance approval of the Selectboard.

All vacation leaves must be approved in advance by the employee's supervisor. Use of accrued vacation leave by employees of the Road Department during the winter maintenance season from November 15 to April 15, may be denied or limited depending upon expected weather conditions, and may be subject to conditions such as being subject to call-in, restriction from travelling out of state during such leave, or restriction from taking multiple consecutive days off.

¹ The hours listed in the column header are the base number of hours per year. An employee whose work week is 40 hours and is in the 5th year of employment with the town would be eligible to accrue 144 hours, or 18 eight hour days, of vacation leave per year. This could be added to the vacation time accrued and carried from year to year up to a maximum of 240 hours , or 30 days, per year as outlined in this section.

Upon termination of employment an employee will be entitled to be paid for all accumulated vacation time at the rate of pay the employee is receiving at the time of termination. Unused vacation leave will only be paid at the termination of employment.

- c. Compensatory Time** – Compensatory time shall be available to salaried, exempt employees at a rate described in V.i. Compensatory time leave may be taken during an employee’s probationary period subject to approval from the employee’s supervisor. Employees are strongly encouraged to use compensatory time within the same quarter in which it is earned. No more than 40 hours of compensatory time may be carried over from one fiscal year into the next. Unused compensatory time shall not be paid to an employee upon termination of employment.

Non-exempt employees: Compensatory time is not offered to non-exempt employees in lieu of overtime pay for overtime hours worked. However, an employee may take time off within the same workweek in order to avoid incurring an overtime obligation, following approval of a supervisor.

d. Holidays – There are 11 paid holidays per year. The paid holidays are as follows: 1) New Year’s Day (January 1st); 2) Martin Luther King Day (3rd Monday in January); 3) President’s Day (3rd Monday in February); 4) Memorial Day (last Monday in May); 5) Independence Day (July 4th); 6) Juneteenth (June 19th); 7) Labor Day (1st Monday in September); 8) Indigenous Peoples’ Day (2nd Monday in October); 9) Veteran’s Day (11th of November); 10) Thanksgiving Day (4th Thursday in November); and 11) Christmas Day (December 25th).

- e. Unpaid Leave** –Requests for leaves of absence without pay for any reason other than those covered by federal or state law must be submitted in writing to the Selectboard or an employee’s supervisor and must set forth the purpose for which the leave is requested. All leave requests must be for a definite period of time and include a specified date of return. If a leave of absence without pay is granted, the employee may, at the Town’s sole discretion, continue the employee’s health plan coverage by paying the required premium in accordance with the payment schedule established by the Town. Other employee benefits (e.g. sick leave, vacation, seniority, etc.) will not accrue during an unpaid leave period that exceeds 30 days.

- f. Short-term Leave** – An employee who has been employed by the Town for at least one (1) year for an average of at least 30 hours per week is eligible for short-term leave. In accordance with 21 V.S.A. § 472a, eligible employees may be entitled to take unpaid leave not to exceed four (4) hours in any 30-

day period and not to exceed 24 hours in any 12-month period for any of the following purposes:

- To participate in preschool or school activities directly related to the academic educational advancement (such as a parent-teacher conference) of the employee's child, stepchild, foster child, or ward who lives with the employee;
- To attend or accompany the employee's child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse or parent-in-law to routine medical or dental appointments;
- To accompany the employee's parent, spouse or parent-in-law to other appointments for professional services related to their care and well-being;
- To respond to a medical emergency of the employee's child, stepchild, foster child, or ward who lives with the employee or the employee's parent, spouse or parent-in-law.

At the option of the employee, accrued paid leave may be used. Before taking leave under this section an employee shall make a reasonable attempt to schedule appointments outside of regular work hours. An employee shall attempt to provide the Town with the earliest possible notice of the intent to take short-term family leave.

- g. Bereavement Leave** – Employees may take up to three days off in the event of the death of a member of their immediate family (parent, spouse, children), and up to one day off for a local funeral or for the funeral of a member of their extended family, with pay. Such leaves are subject to approval by the Selectboard.
- h. Jury Duty** – Employees will be given paid leave and receive their base salary for any time served on jury duty.

VIII. EMPLOYEE DISCIPLINE AND GRIEVANCES:

- a. Reasons for Disciplinary Actions** – The Town may take personnel action for the following reasons:
 - 1. Unsatisfactory work performance;
 - 2. Misuse of funds, supplies or equipment;
 - 3. Refusal or failure to abide by policies or instructions of a supervisor or the Selectboard;
 - 4. Other conduct which is inconsistent with the normal expectations of public service.

b. Disciplinary Action – Any or all of the following disciplinary actions may be taken by the Selectboard, depending upon the severity of the circumstances involved:

1. Verbal or written reprimand;
2. Placement on probationary employment status;
3. 3. Suspension with or without pay;
4. Termination.

c. Procedure for Disciplinary Action – Any disciplinary action may be initiated by the Selectboard or supervisor. Notice of the action and the reasons therefore shall be in writing, and shall be given to the employee involved.

d. Response to Disciplinary Action – Employees who are subject to disciplinary action may request a hearing before the Selectboard. Such requests should be in writing and presented to the Selectboard Chair within 10 working days after notice of the action. The Selectboard shall hear the employee's grievance within 30 days of receipt; the action shall remain in place until the completion of the hearing. Action of the Selectboard shall be final.

IX. EMPLOYEE RECORDS: Personnel files for each employee shall be kept by the Town Clerk. Personnel files are open to the Selectboard but not to the general public. An employee may review his/her file in the presence of a member of the Selectboard or its designee. It is the responsibility of the Selectboard to maintain the files, determine what kinds of information should be included therein, and for how long.

X. EMPLOYEE CONDUCT:

a. General Obligations. Every employee shall fulfill to the best of his or her ability the duties and responsibilities of the employee's position. The employees shall, during their hours of duty, be subject to such other laws, rules, and regulations that pertain thereto, and devote their full attention and efforts to their office and employment.

b. Political Activity. An employee shall not use his or her official authority for the purpose of interfering with or affecting the nominations or election of any candidate for public office in the Town of Waitsfield. This rule is not to be construed to prevent a town employee from becoming or continuing to be a member of any political party or from attending political meetings or signing petitions for a candidate for public office.

c. **Contracts.** No elective or appointive officer or employee of the Town of Waitsfield shall be beneficially interested directly or indirectly in any contract with the Town, regardless of amount; or furnish any material, or perform any labor, except in the discharge of his or her official duties, unless such contract shall have been awarded upon bids advertised for by publication or by discretion of the Selectboard. No officer or employee of the Town shall take part in any decision concerning the business of the Town in which he or she has a direct or indirect financial interest, aside from his or her salary as an officer or employee, greater than any other citizen or taxpayer in the Town. This section shall not apply in the event of an emergency where immediate action shall be deemed more important to the Town than the receipt of formal bids.

d. **Health and Safety.** The Town of Waitsfield recognizes that its employees are among its most important assets. As such, the Town strives to provide a safe and healthy workplace for all employees.

Employees are responsible for following all safety procedures associated with their duties. If an employee is unsure of how to do a particular task safely, he or she should seek further instruction from his or her supervisor. Each employee is also obligated to report all unsafe or unhealthy working conditions to his or her supervisor. It is the responsibility of each supervisor to monitor and assist employees in the safe performance of duties. An employee who sustains a work-related injury or illness should report it immediately to his or her supervisor. A "First Report of Injury" form will be completed by the supervisor or employee and a copy given to the employee.

Safe and healthy behaviors at work are an expected part of each employee's job performance. Employees and their dependents are encouraged to participate in health promotion activities and to avail themselves of the services provided through the Employee Assistance Program (1-800-287-1273).

e. **Substance Abuse.** Working under the influence of alcohol or controlled substances in the workplace may endanger the public, co-workers, and the employee and result in poor or inaccurate job performance and will not be tolerated. Employees who experience alcohol or drug abuse problems are expected and encouraged to seek assistance in the treatment of their problems. Such employees may, without fear of reprisal, seek guidance from supervisors, the Town Administrator, or the Employee Assistance Program.

Employees shall not manufacture, possess, distribute, or use controlled substances in the workplace. Employees shall not report to work or work under the influence of alcohol or controlled substances unless the drug is prescribed by a duly licensed physician or dentist.

An employee who manufactures, possesses, or distributes a controlled substance in the workplace shall be subject to disciplinary action such as, but not limited to, oral reprimand, written reprimand, suspension, required participation in a drug abuse assistance or rehabilitation program, or dismissal. An employee who reports for work under the influence of alcohol or controlled substances, or who consumes or uses such substances while at work, may be dismissed immediately. As a condition of employment, employees must abide by the terms of this policy. An employee who is convicted of a drug statute crime occurring at the workplace shall inform the Town in writing within five calendar days of such conviction. The Town Administrator or the Town Clerk will notify any federal agency in writing with which the Town has a grant on which the convicted employee was working within 10 calendar days of receiving such notice from the affected employee, including the employee's title and identification number(s) of each affected grant. The Town will take appropriate personnel action, as proscribed above, within 30 days of receiving notice of a conviction from an employee.

f. Smoking and Tobacco Use. It is the policy of the Town of Waitsfield that the use of tobacco products in the workplace is prohibited except in designated areas and in accordance with the Smoking and Tobacco policy in Appendix A.

g. Prohibition of Harassment. The Town of Waitsfield will not tolerate unlawful harassment, including insulting, degrading, or exploitative treatment of another employee or a non-employee on the basis of their race, gender, religion, national origin, age, disability, color, ancestry, place of birth, or sexual orientation, or any other protected status defined by law.

The Town of Waitsfield will address complaints regarding harassment committed in the workplace by employees against non-employees and by non-employees (such as vendors, customers, board members, and other workplace visitors) against employees to the fullest extent possible. Harassment involves behaviors that are viewed as offensive or harassing. Examples include the following: insulting comments of a sexual, racial, or religious nature or references to an individual's age, sexual orientation or disability; aggressive bullying behaviors; unwelcome sexual advances; requests for sexual acts or favors; inappropriate physical contact or gestures; physical assaults or contact that substantially interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment; retaliation against an employee for complaining about the behaviors described above or for participating in an investigation of a complaint of harassment; and/or other verbal or physical conduct of harassing nature. Retaliation against an employee for making a complaint of harassment or for cooperating with an investigation of harassment is unlawful and will not be tolerated.

An employee subject to harassment is encouraged to report it before it becomes severe or pervasive. Any employee who has a complaint of sexual harassment at work by anyone, including supervisors, co-workers, or visitors, must bring the problem to the attention of his or her immediate supervisor or the Selectboard or their authorized representative. If the complaint involves someone in the employee's direct line of command, the employee may go directly to the Selectboard with the complaint. A prompt, thorough, and impartial investigation will be conducted and employee confidentiality will be protected to the fullest extent possible. The determination of whether or not a particular action constitutes harassment shall be made from the facts on a case-by-case basis. In determining whether alleged conduct constitutes harassment, the supervisor or Selectboard shall look at the record as a whole and at the totality of the circumstances, such as the nature of the behavior and the context in which the alleged incidents occurred. If harassment is found to exist, prompt corrective action shall be taken. Employees who violate this policy will be subject to disciplinary action up to and including discharge. See also Appendix B.

XI. ADOPTION: These Personnel Policies were revised by the Selectboard on August 12, 2024 and replace the policies approved on June 2, 2023.

Appendices:

- A. Smoking and Tobacco Policy
- B. Sexual Harassment Policy
- C. Position listing – exempt/non-exempt, salaried/hourly, etc.
- D. Health Insurance

Appendix D – Position Table – exempt/non-exempt; salaried/non-salaried.¹

<u>Position</u>	<u>Hours/week</u>	<u>Salary (S) or Hourly (H)</u>	<u>Exempt (E) or Non-Exempt (N)</u>	<u>OT, CT, or both.</u>	<u>Notes</u>
Town Administrator	40.0	S	E	CT	“Traditional” salaried position.
Treasurer	40.0	S	E	CT	Position earns more than FLSA wage thresholds.
Clerk	34.0	S	E	CT	Position earns more than FLSA wage thresholds, but comp time only applies above 40 hours per week.
Planning & Zoning Administrator	40.0	S	E	CT	Position earns more than FLSA wage thresholds, generally meets “white collar” test.
Highway Foreman	40.0	H	N	OT	Hourly employees, clearly defined
Highway Maintainer	40.0	H	N	OT	Hourly employees, clearly defined
Highway Maintainer	40.0	H	N	OT	Hourly employees, clearly defined

CT = Compensatory Time

OT = Overtime

FLSA Wage Thresholds – Weekly: \$844.00

Annual: \$43,888.00.00

*An increase of the wage thresholds took effect 7/1/2024. A second change will take effect January 1,2025 to \$1,128 per week or \$58,656 annually.

The personnel policy limits the accrual and use of compensatory time to exempt employees; that is not required by law and the availability of compensatory time eligibility could be expanded to address overtime pay issues, if there was ever a need.

¹ The following documents were used in creating the table:

- “Changes to the Fair Labor Standards Act Overtime Rules – FAQs”; *VLCT News*, December 2016.
- Municipal Employment Law Handbook: A Guide to Human Resource Management; Vermont League of Cities and Towns, 2004. FLSA “flowcharts” for exempt, non-exempt determinations.
- “Overtime Final Rule and State and Local Governments”; U.S. Department of Labor, circa 2016 (no exact publication date listed).
- “Fact Sheet #17A: Exemption for Executive, Administrative, Professional, Computer & Outside Sales Employees Under the Fair Labor Standards Act (FLSA)”; U.S. Department of Labor, Wage and Hour Division, July 2008.
- “Fact Sheet #17G: Salary Basis Requirement and the Part 541 Exemptions Under the Fair Labor Standards Act (FLSA)”; U.S. Department of Labor, Wage and Hour Division, July 2008.

Appendix D – Health Insurance

The Town offers BCBS of VT Platinum health insurance coverage. The Town provides the following premium contributions; employees are responsible for the remaining percentage via payroll deduction:

- *Single* – The Town pays 95% of the cost of the premium; the employee pays the remaining 5% of the premium cost.
- *Two-Person* – 94% of the cost of the premium; the employee pays the remaining 6% of the premium cost.
- *Parent and Child(ren)* – 94% of the cost; the employee pays the remaining 6% of the cost.
- *Family* – 87% of the cost of the premium; the employee pays the remaining 13% of the premium cost.

The premium amount provided is based upon the “Platinum” level of plan available. Employees may choose a plan that is less than the “Platinum” level, with the savings applied to the employee’s share of the premium cost.

For the purposes of employee benefits, the Selectboard defines family members as a legally married spouse, domestic partner, or a dependent child or children.

Domestic partners may be included on an employee’s insurance policy, if allowed by the insurance provider and under the following conditions:

- (1) a domestic partner affidavit, signed by both parties, is submitted;
- (2) all costs associated with the additional coverage will be the sole responsibility of the employee and deducted from the employee’s wages;
- (3) and it will be the responsibility of the employee to cancel the insurance coverage of the partner in the event the domestic partnership ends.

Health Insurance Waiver and Buyout

Employees with health insurance coverage through another source are eligible for a health insurance buyout. Waiver of insurance upon demonstration of coverage from another source is required. The total buy-out is a taxable payment of \$1,850. The buyout shall be included as a prorated portion of the annual cost ($\$1,850/52 \text{ weeks} = \35.58 gross weekly buyout share).

WAITSFIELD DOG CONTROL ORDINANCE

ORDINANCE REGULATING DOGS AND WOLF-HYBRIDS

Town of Waitsfield

SECTION 1. AUTHORITY. This ordinance is adopted by the Town of Waitsfield under authority of 20 V.S.A. § 3549, 24 V.S.A. §§ 2291 (10), (14), and (15), and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this ordinance is to regulate the keeping of dogs and wolf hybrids and to provide for their leashing, muzzling, restraint, impoundment, and destruction, to protect the public health and safety of the Town and preserve the quiet enjoyment of its residents' homes and properties.

SECTION 3. DEFINITIONS. For purposes of this ordinance, the following words and phrases shall apply:

- A. "Dog" means any member of the canine species. For purposes of this ordinance, this term shall also include "wolf-hybrids" and "working farm dogs" except as otherwise stated.
- B. "Domestic animal" means cattle, sheep, goats, equines, deer, American bison, swine, poultry, pheasant, Chukar partridge, Coturnix quail, psittacine birds, ferrets, camelids, ratites (ostriches, rheas, and emus), and water buffalo. The term shall include cultured fish propagated by commercial fish farms.
- C. "Domestic pet" or "pet" means any domestic dog, domestic cat, or ferret.
- D. "Enforcement Officer" means any Town Constable, Police Officer, Animal Control Officer, Humane Officer, or any other person designated as an Enforcement Officer by the Selectboard.
- E. "Impoundment" means being held by the Town at a place designated by the Selectboard. Such a place may or may not be operated by the Town and may or may not be within Town limits.
- F. "Owner" means any person who has actual or constructive possession of a dog. The term also includes those persons who provide food and shelter to a dog.
- G. "Potentially vicious dog" means a dog that, while running at large: inflicts minor injuries on a person not necessitating medical attention; chases, worries, threatens to attack or attacks another domestic pet or domestic animal; causes damage to personal or real property; chases a person; or causes any person to reasonably fear attack or bodily injury from such dog. This definition shall not apply if the dog was protecting or defending itself, its offspring,

another domestic pet or animal or a person from attack or assault or the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog.

H. "Premises" means the home and real property of the dog owner.

I. "Running at large" means that a dog is not:

- a. on a leash; or
- b. in a vehicle; or
- c. on the owner's premises;
- d. on the premises of another person with that person's permission; or
- e. clearly under the verbal or non-verbal control of its owner.

J. "Wolf hybrid" means an animal that:

- a. is the progeny of a dog and a wolf (*Canis lupus* or *Canis rufus*); or
- b. is advertised or otherwise described or represented to be a wolf hybrid; or
- c. exhibits primary physical and/or behavioral wolf characteristics.

K. "Working farm dog" means a dog that:

- a. is bred or trained to herd or protect livestock or poultry or to protect crops; and
- b. is used for those purposes; and
- c. is registered as a working farm dog pursuant to State law.

SECTION 4. NUISANCES.

A. Prohibitions. An owner of a dog shall not allow, permit, or suffer such dog to create a nuisance. The following activities shall be deemed nuisances:

Nuisance One: Lack of current license and/or rabies tag

A dog without a collar or harness with a current license and/or valid rabies tag securely attached.

Nuisance Two: Running at large

A dog running at large in the Town.

Nuisance Three: Failure to remove waste

A dog that defecates in any public area or on the private premises of another person and whose owner does not immediately remove the fecal material and dispose of it in a sanitary manner.

Nuisance Four: Unconfined dog in heat

A female dog in heat not confined to a building or other secured enclosure, except while under the direct control of the owner.

Nuisance Five: Disturbing the Peace

A dog that disturbs the quiet, comfort and repose of others by barking, whining, calling, or howling for a sustained period of time.

Nuisance Six: Potentially vicious dog

A dog that while running at large: inflicts minor injuries on a person not necessitating medical attention; chases, worries, threatens to attack or attacks another domestic pet or domestic animal; causes damage to personal or real property; chases a person; or causes any person to

reasonably fear attack or bodily injury from such dog. This definition shall not apply if the dog was protecting or defending itself, its offspring, another domestic pet or animal or a person from attack or assault or the person attacked or threatened by the dog was engaged in teasing, tormenting, battering, assaulting, injuring or otherwise provoking the dog.

- B. Exemptions for Working Dogs. The provisions of the sections pertaining to running at large and disturbing the peace shall not apply to working farm dogs if the working farm dog is:
1. barking to herd or protect livestock or poultry or to protect crops; or
 2. running at large to herd or protect livestock or poultry or to protect crops.

SECTION 5. COLLAR AND LICENSE. Each dog shall be licensed according to the laws of this State and shall wear a collar or harness with the current license attached. A dog that is visiting from out of state must wear a collar or harness with a current license from its home state attached. A dog found without a collar or harness and license shall be in violation of this Ordinance and may be immediately impounded.

SECTION 6. ENFORCEMENT. A violation of this Ordinance shall be a civil matter which may be enforced in the Vermont Judicial Bureau or in the Washington County Superior Court, at the election of the Select Board.

Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer shall have authority to issue tickets and represent the Town at any hearing.

Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

SECTION 7. PENALTIES AND COSTS.

A. The Enforcement Officer is authorized to recover civil penalties for violations of this Ordinance in the following amounts for each violation:

Failure to remove waste	
1st Offense: warning or \$25 fine	Waiver Fee: \$10
2nd Offense: \$50 fine	Waiver Fee: \$25
3rd & Subsequent Offense: \$200 fine	Waiver Fee: \$100

107	Disturbing the peace	
108	1st Offense: warning or \$25 fine	Waiver Fee: \$10
109	2nd Offense: \$50 fine	Waiver Fee: \$25
110	3rd & Subsequent Offense: impoundment and/or \$75 fine	Waiver Fee: \$50
111	Unconfined Dog in Heat	
112	1st Offense: \$25 fine	Waiver Fee: \$10
113	2nd Offense: \$50 fine	Waiver Fee: \$25
114	3rd & Subsequent Offense: \$200 fine	Waiver Fee: \$100
115	Lack of current license and/or rabies tag	
116	1st Offense: warning or impoundment and/or \$25 fine	Waiver Fee:\$10
117	2nd Offense: impoundment and/or \$50 fine	Waiver Fee:\$25
118	3rd & Subsequent Offense: impoundment/or and \$200 fine.	Waiver Fee:\$100
119		
120	Running at large	
121	1st Offense: warning or impoundment and/or \$25 fine	Waiver Fee:\$10
122	2nd Offense: impoundment and/or \$50 fine	Waiver Fee: \$25
123	3rd & Subsequent Offense: impoundment and/or \$200 fine	Waiver Fee:\$100
124		
125	Potentially vicious dog	
126	1st Offense: warning or impoundment and/or \$100 fine	Waiver Fee: \$50
127	2nd Offense: impoundment and/or \$250 fine	Waiver Fee: \$100
128	3rd Offense: impoundment and/or \$500 fine	Waiver Fee: \$250
129		

- 130 B. The Enforcement Officer is authorized to recover a waiver fee in lieu of a civil penalty, in the
131 stated amount, for any person who declines to contest a municipal complaint and pays the waiver
132 fee.
- 133 C. Determining the sequences of offenses for violations of this Ordinance shall be as follows: a
134 subsequent violation that is identical to, and that occurs within 12 months of, a previous violation
135 shall be considered a higher offense (i.e., second, third, or subsequent offense). Any subsequent
136 identical violation that occurs after 12 months of a previous identical violation shall be considered
137 a new first offense.
- 138
- 139 D. Reckless Dog Owner. Any owner who has violated this Ordinance three(3) times, whether the
140 offenses are identical or not shall provide proof to the Enforcement Officer of successful completion
141 of a behavior modification program, pre-approved by the Selectboard, and designed to improve the
142 owner's understanding of dog ownership responsibilities, within 6 months from the date of
143 notification. The Enforcement Officer shall issue a notification of this requirement, in writing by
144 regular mail, postage prepaid, to the owner's last known address. Failure to provide such
145 certification within the time allotted shall subject the offending dog(s) to immediate seizure and
146 impoundment.

E. For purposes of calculating the sequence of offenses, offenses shall be counted against the owner.

F. A warning shall not be counted towards the calculation of the number of offenses under this Ordinance.

SECTION 8. IMPOUNDMENT.

- A. Grounds for Impoundment. Any dog may be immediately impounded if the dog:
1. has been determined by an Enforcement Officer to be a "potentially vicious dog," which presents an imminent danger to people or other animals;
 2. has reportedly bitten a person off [insert "or on" if the ordinance will apply to all dog bites, regardless of location] the premises of its owner;
 3. is in violation of State licensing law;
 4. has an unknown rabies vaccination history or is suspected of having been exposed to rabies;
 5. is running at large;
 6. is an unconfined dog in heat; or
 7. is found without a collar or harness and license.

- B. Notice of Impoundment. The officer who impounds a dog shall, within twenty-four (24) hours, give notice to the owner thereof either personally, by telephone call, or by regular mail postage prepaid at the owner's last known address. Such notice shall inform the owner of the nature of the violations, the dog's location, and the necessary steps to have it returned to the owner.

If the owner of the dog is unknown, the officer who impounds a dog shall, within twenty-four (24) hours of impoundment, post a public notice. Notification shall be posted in the town clerk's office and other usual places for public notice for a ten (10) calendar day period. The public notice shall include a description of the dog, including any significant marks of identification, and when and where it was impounded or found by the person placing the dog in the town's custody. The public notice must also declare that, unless the owner 1) claims the dog, 2) pays all expenses incurred by the town for treatment, boarding and care of the dog, and any applicable penalties, and 3) takes all necessary remedial action within ten (10) calendar days following posting, the town may place the dog in an adoptive home or transfer it to a humane society or rescue organization. If the dog cannot be placed in an adoptive home or transferred to a humane society or rescue organization, it may be destroyed in a humane way.

- C. Release from Impoundment. Impounded dogs shall be released to the owner only after payment of all penalties and impoundment fees (including, but not limited to, boarding, food, and veterinary expenses), the final disposition of a potentially vicious dog or vicious dog hearing if applicable, and after all necessary remedial action, as determined by the enforcement officer in consideration of the violation committed, is taken by the owner. Remedial action shall include, but is not limited to, such actions as providing a collar and current license; verification of certification of current vaccination against rabies; payment of all applicable fines or waiver fees; and proof of satisfactory successful

completion of a program designed to improve the owner's understanding and execution of dog ownership responsibilities.

If the owner of a dog impounded under the provisions of this ordinance refuses to take the remedial action necessary to secure the dog's release within ten (10) calendar days following notice of impoundment or gives notice either personally, by telephone call, or in writing to the town of forfeiture of ownership before that time, the dog may be placed in an adoptive home, transferred to a humane society or rescue organization; or, if the town is unable to transfer the dog, it may be humanely destroyed. The owner of a dog transferred or humanely destroyed shall remain liable for all expenses incurred by the Town for treatment, boarding and care of the dog for the duration of its impoundment, and any expenses associated with its transfer or humane disposal.

- D. Rabies Suspect. The procedures provided in this section shall only apply if the dog is not a rabies suspect. If an official designated by the Selectboard to enforce the provisions of this ordinance determines that the dog is a rabies suspect, the Selectboard shall immediately notify the Town Health Officer who shall proceed in accordance with the Vermont Department of Health's rules.

SECTION 9. INVESTIGATION OF VICIOUS DOGS.

- A. Complaint. When a dog has bitten a person while the dog is off the premises of its owner or keeper, and the person bitten requires medical attention for the attack, such person may file a written complaint with the Selectboard of the municipality. The complaint shall contain the time, date, and place where the attack occurred, the name and address of the victim or victims, and any other facts that may assist the Selectboard in conducting its investigation.
- B. Investigation and Hearing. The Selectboard, within seven (7) calendar days from receipt of the complaint, shall investigate the charges and hold a hearing on the matter. If the owner of the dog which is the subject of the complaint can be ascertained with due diligence, said owner shall be provided with a written notice of the time, date, and place of hearing and a copy of the complaint.
- C. Protective Order. If, after a hearing on the matter, the dog is found to have bitten the victim without provocation, the Selectboard shall make such order for the protection of persons as the facts and circumstances of the case may require, including, without limitation, that the dog is disposed of in a humane way, muzzled, chained, or confined. The order shall be sent by certified mail, return receipt requested, to the owner. A person who, after receiving notice, fails to comply with the terms of the order shall be subject to the penalties provided in 20 V.S.A. § 3550.
- D. Rabies suspect. The procedures provided in this section shall only apply if the dog is not a rabies suspect. If a member of the Selectboard or an Enforcement Officer determines that the dog is a rabies suspect, the Selectboard shall immediately notify the Town Health Officer who shall proceed in accordance with the Vermont Department of Health's rules. If the dog

is deemed healthy, the terms and conditions set forth in the Selectboard's order shall be enforced.

SECTION 10. POTENTIALLY VICIOUS DOGS.

A person claiming a dog is a "potentially vicious dog" may file a written complaint with the Selectboard. The complaint shall contain the time, date, and place where the alleged behavior occurred, an identification of the domestic pet or animal threatened or attacked, the name and address of any victim or victims, and any other facts that may assist the Selectboard in conducting its hearing. Upon receipt of a "potentially vicious dog" complaint, the Selectboard shall proceed as in the case of a "vicious dog" complaint using Section 9 B.-D. above, with the exception that if the Selectboard determines that the behavior classifies the dog as "potentially vicious" the Selectboard may order any protective measures be taken absent the dog being humanely destroyed.

SECTION 11. OTHER LAWS. This ordinance is in addition to all other ordinances of the Town of Waitsfield and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 12. SEVERABILITY. If any section of this ordinance is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this ordinance.

SECTION 13. EFFECTIVE DATE. This ordinance shall become effective 60 days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute shall govern the taking effect of this ordinance.

Adopted this _____ day of _____, 20__.

SIGNATURES:

263 **APPENDIX A**

264
265 Appendix A is written to clarify procedures related to the release of impounded dogs as established in
266 Section 7, subsection 4 of the Waitsfield Dog ordinance as amended May 18, 2020.

267
268 The facility at which a dog is impounded may, at its discretion, release a dog from impoundment under the
269 following circumstances:

- 270
271 1) If the dog warden or other designated enforcement officer is not available, and the Town Offices
272 are not open, the impounded dog may be released to its owner upon payment of impoundment fees
273 and with the recommendation that the dog owner contact the Town Offices and license the dog as
274 soon as possible (if licensure is an issue).
275 2) In a situation where employee safety and well-being at the facility are the overriding concerns.

276
277 The dog warden or other enforcement officer will be notified of release as soon as practicable.
278
279

280 Adoption History

- 281 1. Agenda item at regular Selectboard meeting held on _____.
282 2. Read and approved at regular/special Selectboard meeting on _____ and entered in the
283 minutes of that meeting which were approved on _____.
284 3. Posted in public places on _____.
285 4. Notice of adoption published in the _____ newspaper on _____ with a notice
286 of the right to petition.
287 5. Other actions [petitions, etc.]

WAITSFIELD ORDINANCE REGULATING DOMESTIC ANIMALS

SECTION 1. AUTHORITY. This Ordinance is adopted by the Town of Waitsfield under authority of 24 V.S.A. §§ 2291(14), and (15), and 24 V.S.A. Chapter 59.

SECTION 2. PURPOSE. The purpose of this Ordinance is to promote the health, safety, and welfare of the citizens of the Town and to preserve the quiet enjoyment of their property through the abatement of public nuisances associated with the keeping of Domestic Animals, including, but not limited to: the significant danger they pose to the traveling public and the damage they can cause to private and public property when running-at-large; their ability to produce noise detrimental to the enjoyment of life, property, and the conduct of business; and the risk they pose of transmitting communicable diseases to people and other animals, when not properly confined.

SECTION 3. DEFINITIONS. For purposes of this Ordinance, the following words and phrases will apply:

- A. "Domestic Animal" means cattle, sheep, goats, equines, deer, American bison, swine, poultry, pheasant, Chukar partridge, Coturnix quail, psittacine birds, camelids, ratites (ostriches, rheas, and emus), and water buffalo.
- B. "Domestic Pet" means any domestic dogs, domestic cats, and ferrets.
- C. "Enforcement Officer" means any Town Constable, Police Officer, Animal Control Officer, Humane Officer, or any other person designated as an Enforcement Officer by the Selectboard.
- D. "Impoundment" means to seize and take legal custody of a Domestic Animal by the Town at a place designated by the Selectboard. Such a place may or may not be operated by the Town and may or may not be within the geographic boundaries of the Town.
- E. "Impoundment Expenses" means any and all costs incurred by the Town related to the initial capture, impoundment, and eventual release, transfer, sale, or humane disposition of a Domestic Animal. These costs may include, but are not limited to, Enforcement Officer charges and fees; costs associated with the capture, impoundment, transportation, boarding, feeding and care of an impounded Domestic Animal; veterinary expenses deemed reasonably necessary to the life or health of the Domestic Animal or any other animals with which they may interact while impounded; compensation for any repairs or damage done by the Domestic Animal to Town property; and all costs associated with providing personal and public notice pursuant to this Ordinance.
- F. "Lead" also known as a "Lead line", "Lead rope", or "head collar rope" is used to guide or direct a Domestic Animal and is usually attached to a halter.
- G. "Owner" means any person who has actual or constructive possession of a Domestic Animal.

- H. “Remedial Action” may include, but is not limited to, such actions as payment of all applicable fines or waiver fees, and Impoundment Expenses; taking necessary measures such as repairing fences, gates, corrals, paddocks, wiring, pens, or other structures as needed to adequately confine Domestic Animals to the Owner’s property; permanent forfeiture of the impounded Domestic Animal; and/or the temporary or permanent forfeiture of the right to keep any Domestic Animal within the geographical boundaries of the Town.
- I. “Running-At-Large” means that a Domestic Animal is not:
1. on the premises of its Owner;
 2. on the premises of another with that person’s permission; or
 3. being led on a Lead or otherwise under the Owner’s physical control.

SECTION 4. PROHIBITED NUISANCES. The Owner of a Domestic Animal may not allow, permit, or suffer such animal to create a nuisance. The following activities are hereby deemed nuisances:

A. Nuisance One: Disturbing the Peace

A Domestic Animal that disturbs the quiet, comfort and repose of others by bellowing, bleating, braying, calling, clucking, crowing, crying, honking, howling, neighing, whining, or making some other noise for a sustained period of time.

1. Exemptions. This prohibition does not apply to any person raising, feeding, or managing at least the number of adult Domestic Animals as specified in Section 3.1(d) of the State of Vermont’s Required Agricultural Practices Rule on a farm that is no less than four (4.0) contiguous acres in size.

B. Nuisance Two: Running At Large

A Domestic Animal Running-At-Large in Town.

C. Nuisance Three: Failure to Remove Waste

A Domestic Animal that defecates in any public area or on the private premises of another person in Town and whose Owner does not immediately remove the fecal material and dispose of it in a sanitary manner.

D. Nuisance Four: Damage To, or Interference With, The Property of Another

A Domestic Animal that, while Running-At-Large, damages the property (public or private) of any other than its Owner, including, but not limited to, eating or damaging lawns, gardens, flowers, plants, vegetables, fruits; turning over garbage containers; causing damage to real or personal property; or injuring, worrying, mating, or attempting to mate with another Domestic Animal or Domestic Pet.

SECTION 5. ENFORCEMENT. A violation of this Ordinance is a civil matter which may be enforced in the Vermont Judicial Bureau or in the Washington County Superior Court, at the election of Select Board.

Violations enforced in the Superior Court will be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

A. Nuisance One: Disturbing the Peace:

Waiver Fee: \$10

Waiver Fee: \$25

Waiver Fee: \$100

Waiver Fee: \$10

Waiver Fee: \$25

Waiver Fee: \$100

Waiver Fee: \$10

Waiver Fee: \$25

Waiver Fee: \$100

Waiver Fee: \$10

Waiver Fee: \$25

Waiver Fee: \$100

G. For the purpose of calculating the sequence of offenses, offenses will be counted against the Owner, not the Domestic Animal.

H. A warning will not be counted towards the calculation of the number of offenses under this Ordinance.

I. The Enforcement Officer may only impose the temporary or permanent forfeiture of a Domestic Animal and/or the right to keep a Domestic Animal on their property in Town as a Remedial Action if its Owner has violated the provisions of this Ordinance __times, whether the offenses are identical or not, within a twelve (12) month period. Any Domestic Animal so impounded may be sold at public auction, transferred to a humane society or rescue organization, or humanely destroyed.

SECTION 7. IMPOUNDMENT.

A. Grounds For Impoundment.

1. Any Domestic Animal may be immediately impounded if the animal is found Running-At-Large;
2. Any Owner who has violated this Ordinance __times, whether the offenses are identical or not, within a __month period, subjects their Domestic Animal(s) to immediate Impoundment.

B. Notice Of Impoundment. The Enforcement Officer who impounds a Domestic Animal must, within twenty-four (24) hours, give notice to its Owner, either personally or by written notice left at their dwelling. Such notice must inform the Owner of the nature of the violation(s), the current location of the Domestic Animal, and the necessary steps to have it returned to the Owner.

If the Owner of the Domestic Animal is unknown, the Enforcement Officer who impounds such Domestic Animal must, within forty-eight (48) hours of Impoundment, post notice in or near the Town Clerk's office in the town in which the animal was impounded and provide notice of the same to the Town Clerks of two adjoining towns for public posting. The notice must describe the animal and state when and where it was impounded and be posted for a thirty (30) calendar day period. The public notice must also declare that, unless the Owner: 1) claims the Domestic Animal, 2) pays all Impoundment Expenses and any applicable penalties, and 3) takes all necessary Remedial Action; or 4) appeals the Impoundment of the Domestic Animal and/or conditions for its release within thirty (30) calendar days following posting, the Town may sell the same at public auction; transfer it to a humane society or rescue organization; or have the animal humanely destroyed.

C. Appeal of Impoundment. The Owner of an impounded Domestic Animal may request a hearing before the Selectboard to appeal the Impoundment of their animal(s) and/or any conditions for their release, by filing a written notice of appeal with the Selectboard within thirty (30) calendar days following posting of the notice of Impoundment. The Selectboard must hold a hearing on the matter within fourteen (14) calendar days of receipt of the request. The Owner of the impounded Domestic Animal will be provided with a written notice of the time, date, and place of the hearing at which they will be afforded an opportunity to be heard. The Selectboard will conduct deliberations in private and state its decision, with reasons, in writing, to be sent to the Owner within thirty (30) calendar days of the close of the hearing.

D. Release From Impoundment. Impounded Domestic Animals will be released to the Owner only after

payment of all penalties and Impoundment Expenses, the final disposition of an Impoundment appeal hearing before the Selectboard, if applicable, and after all Remedial Action, as determined by the Enforcement Officer to be necessarily related to preventing the same violation from reoccurring, is taken by the Owner.

An Enforcement Officer may only release a Domestic Animal impounded for Running-At-Large resulting from want of a secure enclosure, to its Owner if, after inspection of the premises where the impounded animal will be kept, they are reasonably assured that all necessary Remedial Action has been taken to prevent the animal from Running-At-Large in the future.

If the Owner of a Domestic Animal impounded under the provisions of this Ordinance refuses to take the Remedial Action necessary to secure the Domestic Animal's release within thirty (30) calendar days following notice of Impoundment without filing for an appeal of the Impoundment with the Selectboard, or gives notice either personally, by telephone, or in writing to the Town that they relinquish ownership of the animal before that time, the Domestic Animal will be considered forfeited and may be sold by the Town at public auction; transferred to a humane society or rescue organization; or humanely destroyed. The Owner of a forfeited Domestic Animal will remain liable to the Town for all Impoundment Expenses.

- E. Notice of Public Auction. The Town may sell a Domestic Animal at public auction, after six (6) calendar days' public notice posted in or near the Town Clerk's office and in at least two other designated public places in Town.
- F. Excess Auction Proceeds. The proceeds of the sale by the Town of any impounded Domestic Animal at public auction will be applied to the payment of any Impoundment Expenses. The balance, if any, will be paid to the Treasurer of the Town in which the animal was impounded, to the use of the Owner, if demanded within one year, otherwise to the use of the Town.

SECTION 8. OTHER LAWS. This Ordinance is in addition to all other ordinances of the Town of Waitsfield and all applicable laws of the State of Vermont. All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 9. SEVERABILITY. If any section of this Ordinance is held by a court of competent jurisdiction to be invalid, such finding will not invalidate any other part of this Ordinance.

SECTION 10. EFFECTIVE DATE. This Ordinance will become effective 60 days after its adoption by the Selectboard. If a petition is filed under 24 V.S.A. § 1973, that statute will govern the taking effect of this Ordinance.

Adopted this _____ day of _____, 20__.

SIGNATURES:

Adoption History

1. Agenda item at regular Selectboard meeting held on _____.
2. Read and approved at regular/special Selectboard meeting on _____ and entered in the minutes of that meeting which were approved on _____.
3. Posted in public places on _____.
4. Notice of adoption published in the _____ newspaper on _____ with a notice of the right to petition.
5. Other actions [petitions, etc.].

Job Description for the Position of: Waitsfield Dog Warden July 2010

A. PHONE CALLS

1. Lost dog:

The caller's name, address and phone number is required, as is the time and date of losing the dog. Further description of the dog's breed, sex and whether or not the dog is registered with the town and has current rabies tags are necessary.

Encourage the owner to continue looking for the dog and to ask around the neighborhood if the dog has been spotted. (This often works in finding the dog immediately.)

2. Found dog:

Ask for the name, address and phone number of the caller and the breed of the dog. Ask if they have any idea as to whom the dog belongs to, and if the dog has on a collar with tags.

If they are able to provide a town tag number, ask if they will hold on to the dog for as long as is necessary for you to make a call to the owner using the Animal License list provided by the Town Clerk's office to call the owner so that the owner may retrieve their dog.

If the dog does not have a town tag, then using the Animal License list provided by the Town Clerk, look up the dog's breed. This will have to be done name by name as the list of labs, retrievers, etc. may be long, and there is no other effective way of finding the owner at that time. Call each of the breed owner's asking if their dog is home. Also ask if they are aware of anyone else in the neighborhood who may have the same breed dog. Get their name, look it up in the phonebook if they are not listed on the Waitsfield Dog Tag owners list.

If the dog does not have a collar at all and there is no idea as to the ownership of the dog, make arrangements to pick it up and bring it to the Valley Animal Hospital.

B. Impounding the Dog:

It will be the Dog Warden's responsibility to follow up with the VAH to find out if the owner called and picked up his/her dog. The VAH assumes no responsibility to ask the owner to buy a town tag, or call the dog warden for closure. They will however keep the dog if the rabies shots are not up to date and will charge the owner for the rabies shot and the kennel fees. It will be up to the dog warden to ensure the owner registers the dog with the town.

When you bring the dog to the VAH there will be a form to fill out that will then be put on the kennel. The form states the date, where the dog was found and by whom, and will ask for your name and phone number as well. (Please be sure to put as much information on the form as is necessary in helping the dog be reunited with its owner, i.e. breed, sex, coloration, identifying marks.)

C. Actual Encounter

You are provided with a leash, a pole and the key to the VAH. If you find a dog running at large or if you are called regarding a dog at large it is your charter to pick the dog up and impound it. If you know the dog, the owner or have the town tag, you can return the dog directly to the owner's home provided the owner is home.

You may not leave the dog with an underage child of the home as it is the parent's responsibility to ensure the dog is not released again. This is a judgment call if you feel the child at home can assume the responsibility of the dog you may then leave it. However, it has been proven time and again teenagers will do as their parents do and release the dog into the yard without supervision or a leash.

D. Dog Attacks

While this is rare, dogs have been known to chase and kill cats. If this is the case, ask the owners to act in a neighborly way to find a resolution to the situation. If both parties are unwilling to discuss the matter you should act as a mediator and ask each party what their resolution would be. (I have found this very effective.) There is no town law governing what each party should do and the only other resolution would be to bring the situation before the Selectboard.

If a child is involved and bitten it is the responsibility of all parties to report the incident to the State Police. The dog must be impounded and kept until the Selectboard or the State Police determine if the dog should be released to the owner.

If an adult is bitten, it is their decision as to whether or not they wish the incident to be taken to the State Police or the Selectboard. More often than not they will treat the bite as a small incident of the dog being overly protective. (I always ask the owner to take the dog to an animal behaviorist to work out the aggression issue.) Follow up with both parties to ensure there are no further incidents.

TOWN OF WAITSFIELD, VERMONT

Selectboard Meeting Minutes

Monday, July 22, 2024

Draft

Members Present: Chach Curtis, Fred Messer, Brian Shupe, Christine Parisi, Larissa Ursprung

Staff Present: Tripp Johnson, Fire Chief

Others Present: Joe Alsworth (Capital Fire), Jeff Campbell (Warren FD Chief), Keith Cubbon (CVRPC), Evan Dacosta (WFFD), Paul Hartshorn (WFFD), (MRTV), Stephan Pratt (Moretown FD Chief), Craig Snell (WFFD), Brian Wray

I. Call to Order: The meeting was called to order at 6:30 pm by Christine Parisi. The meeting was held in person at the Waitsfield Town Office and remotely via Zoom.

1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).
The Selectboard Roundtable had been inadvertently left off the agenda.

2. Public Forum.

Nobody present requested time to address the Board.

II. Regular Business.

1. Liquor Permit Applications: None

No liquor license review was needed.

2. Festival Permit Application – Mad River Valley Summer Carnival.

Brian Wray explained that he has been working with the four local elementary schools to put on this event at Mad River Green, as a fundraiser. He outlined that:

- No hot food or alcohol will be served.
- Hours are 11 am to 2 pm, with set up and break down time, the requested time is 9 am through 3 pm.
- It is difficult to accurately predict participation, but likely there will be approximately 100 attendees.

It was requested the Mr. Wray inform the Fire Department and MRVAS of the event. Tripp Johnson offered to have a fire truck on site as part of the event.

MOTION: *Mr. Messer made a motion to approve the Festival Permit Application for the Mad River Valley Summer Carnival on August 25, 2024 with a rain date of September 1, 2024. The motion was seconded by Mr. Shupe, and passed unanimously.*

3. Fire Department/Capital West

Joe Alsworth provided an outline of the steps taken to replace the aging radio system for area Fire Department communications, including being tasked by Governor Scott to design a capital replacement plan for future needs. He explained that Capital Fire Mutual Aid (CF) worked with several parties to design an equitable plan, and it was established that CVRPC is the fiduciary for the capital account that was established. Funds are maintained in a separate account, currently in CDs. Mr. Alsworth noted that an audit of the account is currently underway,

prompted in part by Waitsfield's concerns about the transparency of the investments. He indicated that the CF group hoped to avoid asking for a bond to cover the cost of the mutual aid system replacement, and that the annual contribution from member towns was originally intended to fund a new system of towers and equipment as well as the anticipated need for replacement equipment in future years. The current balance in the fund, including interest earned, is \$91,567.06.

The cost of the project has risen to over \$3.8 million since the inception of the capital funding program, and Mr. Alsworth explained that Congressional Discretionary Funding has now been applied for to cover the cost of the towers and equipment needed to upgrade the communications system, which currently dates to 1988 and for which there is no compatible replacement equipment available. A new system would offer more reliable service than is currently experienced both within local Departments and between all area Departments when requesting mutual aid. Because the cost has risen so dramatically, the Capital West fund is now intended to finance replacement equipment in ten years or so, and either grant funding or a bond request will be used to put the initial replacement infrastructure online.

Mr. Alsworth indicated that all member communities had agreed to take part in this capital replacement plan, and that MOUs had not been put in place with the towns, because each town which is a member in good standing is a partial owner of the system.

Ms. Parisi explained that the Board understands what is needed, and trusts the judgement of the Fire Department staff and volunteers regarding this, but that some assurance is needed regarding the investment of funds and that the money will be spent on what has been outlined. She noted that the Board had also questioned what would happen to the funds should sufficient grant money be provided to cover the cost of the system. Some of the Fire Department members present spoke of the need to replace/upgrade equipment in the years following the set up of the new system, noting that technology changes fairly often. It was explained that having the capital fund money set aside for these future replacements/upgrades is beneficial when applying for any grants to cover the initial cost of the new system.

During the course of the conversation, Ms. Parisi noticed that there is an MOU posted on the Capital West web site, dated January 2023. She explained that this is the type of document that the Board has been seeking, in addition to the Resolution of Support which had been approved and signed by the Board when Capital West first requested contributions for the capital funding. It was noted that the Town has set aside funds on schedule, to be transferred to Capital West once an MOU is in place.

Mr. Alsworth reported that an RFQ had been published, and that Motorola was the only company that responded; they have been completing some pro bono work in preparation for the potential installation of the new infrastructure.

The Board offered to review the MOU that was available, and to bring the matter to a conclusion by their August 12 meeting at the latest. Mr. Johnson confirmed that, going forward, he will provide minutes and financial reports from Capital West for review by the Selectboard.

4. Storm/Flooding Update.

It was discussed that the majority of the damage experienced in Waitsfield due to the July 10-11 flooding was on Center Fayston Road and Old Center Fayston Road, and it was explained that Josh Rodgers would like funds for culvert replacements on those roads (\$30-35K for Center Fayston and \$25K for Old Center Fayston). Sandy Gallup has confirmed that the funds are available to cover these expenses, and that budget adjustments may be made later in the fiscal year if necessary. Mr. Rodgers has been tracking all time and expenses for submission to FEMA if a disaster declaration comes through for the event.

It was indicated by Board members that Dana Hill Road and Rolston Road also had damage, and that two property owners on the North Fayston Road are interested in pursuing the FEMA buyout process.

Mr. Messer reported that he had a request from VEM to set up a debris management site, although there has been no request for this from residents for this most recent event. In the past, this was set up at the Town Garage, but that has become more difficult with solar panels and other reconfiguration at that site. Josh Rodgers will be consulted to determine if the gravel pit would be suitable.

Mr. Messer also noted that VEM was not able to provide him with a 211 list of those who reported damage.

Mr. Curtis made note of the pipe from the Water System pump station needing some fill and grading; Christine will let Mr. Rodgers know that the road needs attention to protect the pipe.

Mr. Shupe indicated that at the most recent MRVPD Steering Committee meeting Joshua Schwartz had raised the topic of a Valley-wide emergency response system being put in place, for coordination of assistance, equipment needs, safety training, and volunteer management.

5. Traffic Ordinance Review – updates and next steps.

Ms. Parisi reported that she had received feedback from the Sheriff's Department, outlining the areas where there are speed limit discrepancies between particular roads and the 35 MPH limit called for on unpaved roads in general. She also noted that the speed limits at either end of the Village along Route 100 have recently been modified.

The Sheriff also mentioned establishing school zones, but has not yet provided information regarding the necessary signage. Bridge Street parking configuration also needs to be looked at to determine that the correct distance from stop signs is in place; Mr. Shupe offered to look into this.

The Traffic Ordinance will be published in the Valley Reporter, as required following the adoption of any amendments. Further changes to the Ordinance will be incorporated as determined to be necessary.

There was some discussion of combining the Dog and Animal Control Ordinances, ticket writing and the associated difficulties involved.

MOTION: *Ms. Ursprung made a motion to adopt the Traffic Ordinance as amended during the meeting. The motion was seconded by Mr. Curtis, and passed unanimously.*

6. Personnel Policy – review updates and consider adopting.

Ms. Parisi outlined the changes she had made, in many cases based upon research she undertook of similar contracts and in some instances due to changes in federal law or suggestions from VLCT. These changes were discussed, along with some other suggestions from Board members. Ms. Parisi will incorporate the suggestions agreed upon and provide an updated version for Board approval at their next meeting.

7. Hiring Update: Next Steps.

Mr. Shupe noted that the deadline for receiving application is the end of the week, Friday July 26, and that 15 applications had been received. He explained that Rick McGuire will prescreen the applicants and potentially handle initial brief interviews. Mr. McGuire had reminded Mr. Shupe that he would like to present candidates with upcoming Board goals, and Mr. Shupe confirmed that he would update the Board's Work Plan and circulate it to the rest of the Board. It was agreed that initial interviews would be set up with a subcommittee.

8. Consent Agenda.

APPROVAL: *The Consent Agenda was approved with no objections or concerns raised.*

- Approval of Minutes of 6/24/24 and 7/8/24
- Bills Payable and Treasurer's Warrants

9. Selectboard Roundtable.

Ms. Parisi brought the Board's attention to the Waitsfield Children's Center having closed, which means that the \$25K ARPA allocation awarded is now available for other purposes.

10. Executive Session.

MOTION: *A motion to find that pursuant to 1 V.S.A § 313 (a) (1) premature general knowledge of confidential attorney- client communications made for the purpose of providing professional legal services to the public body would clearly place the public body or a person involved at a substantial disadvantage passed unanimously.*

MOTION: *A motion to enter Executive Session pursuant 1 V.S.A. § 313 (a) (3) [Personnel] and 1 V.S.A. § 313 (a) (1F) [Confidential attorney-client communications] passed unanimously.*

The meeting entered Executive Session at 8:22 pm and returned to open session at 8:55 pm.

MOTION: *Mr. Shupe made a motion to approve and sign the MOU with Capital Fire Mutual Aid. The motion was seconded by Mr. Curtis, and passed unanimously.*

MOTION: *Mr. Curtis made a motion to approve an employment agreement with Sandy Gallup. The motion was seconded by Ms. Ursprung, and passed unanimously.*

V. Other Business

1. Correspondence/reports received were reviewed.

190 **VI. Adjourn**
191 The meeting adjourned at 8:57 pm.
192 Respectfully submitted,
193 Carol Chamberlin, Recording Secretary

Town of Waitsfield

Application for Public Festival Permit

Instructions: This application must be received at the Town Office at least 30 days prior to the commencement date of the festival. Applications are reviewed and permits issued by the Selectboard. The application fee must be paid upon submission of the application, unless the festival is conducted solely for charitable or non-profit purpose and the applicant is seeking a waiver of the fee from the Selectboard.

- 1) Name of Festival: 53 rd Annual Mad River Valley Craft Fair
- 2) Date(s) of Festival: Aug. 31 & Sept.1, 2024
- 3) Location of Festival: Kenyon's Field, Waitsfield
- 4) Hours of Festival: 10 am - 5 pm
- 5) Sponsor of Festival: Valley Player's Theater
- Address: 3337 Main St., Waitsfield 05673

Phone #: 802-917-1056 (Laura) e-mail: laura@madriver.com

- 6) Please provide names of principal individuals responsible for the festival:

Name	Name
<u>Shannon Sanborn</u>	<u>Sharon Kellerman</u>
Phone	Phone
<u>583-11674</u>	583-2774
Address	Address
<u>PO Box 1576, Waitsfield, VT 05673</u>	49 Two Ponds Rd., Warren, VT 05674

- 7) Owner of premises where festival is to take place. If sponsor is not the owner, the owner's written consent must be submitted with the application.

<u>Doug & Donna Kenyon</u>	<u>3337 Main St., Waitsfield, VT 05673</u>
Owner	Address
496-3922	Phone

- 8) A. Number of tickets to be printed, if applicable: 3,500
- B. Number of persons reasonably expected to attend: 3,500
- C. Fee: \$25 for each 250 persons expected to attend: \$
- D. If festival is charitable or non-profit, are you requesting a fee waiver? Yes
- If so, please explain the charitable or non-profit nature of the event: _____
- Proceeds from the Craft Fair help keep local theater vibrant, keep ticket prices reasonable,
maintain the Valley Player's building & allow it to be used for other charitable works.

- 9) Specific arrangements proposed to be made for off-street parking, sanitation facilities, traffic control, security, crowd/noise control, food & beverage service, if any. ATTACH SEPARATE SHEET IF NEEDED:

As in past years, Valley Player's Board Members and other volunteers will direct traffic and park cars. We have secured people to stay Fri. and Sat. evenings into the mornings to protect the site. Port-o-lets will be on site and serviced between the two days.

- 10) Summary of advertising and sign material including scope, general description and estimated budget therefore. ATTACH SEPARATE SHEET IF NEEDED:

Posters, postcards, newspaper, radio and social media advertising are all part of our marketing plan. There are a number of signs we put up a few days before to help direct people to the fair. Our total advertising budget is approximately \$4,000.

- 11) General nature of the festival, persons scheduled to appear, and description of program. ATTACH SEPARATE SHEET IF NEEDED:

Approximately 85 craft vendors and 4 – 5 food vendors will be at the fair. Green Mt. Swing Band, and three other bands will perform throughout the 2 days. There will be face painting and DINOMAN for children and a door prize raffle with donated items.

- 12) If food and beverage are to be provided, indicate name and address of provider(s). ATTACH SEPARATE SHEET IF NEEDED:

Mr. Rick's Chuckwagon, 132 Cobbleview Dr., Colchester, VT 05446; Silver Spring Scoops Ice Cream and Red Beverages, 141 East St., Bolton, VT; Jilib Jiblets LLC, 163 Franklin Sq., Burlington, VT 05408 and 2 – 4 others TBD.

I hereby represent that to the best of my knowledge the information provided in this application is true and correct:

<u>Laura Arnesen</u>	<u>Laura Arnesen</u>	<u>7/26/24</u>
Signature	Printed Name of Applicant	Date

.....

Disposition of application – For Town Use Only

Denied: _____ Granted: _____ Date of Selectboard Action: _____

Conditions:

By: Waitsfield Selectboard



WAITSFIELD HISTORICAL SOCIETY

General Wait House

P. O. Box 816

Waitsfield, VT 05673

Understanding our past is vital as we prepare for the future

July 30, 2024

Dear Members of the Waitsfield Selectboard,

This letter comes to you on behalf of the Waitsfield Historical Society.

We are aware that the Gen. Wait House has had a financial deficit over the past several years. The rents received from the non-profit organizations, housed on the second floor since 1997, no longer cover the total monthly expenses as was the original plan. After thirteen years from 1997, in 2010 an 8.35% increase was imposed and then fourteen years later, after several changes on our Selectboard, rent increase has been discussed as a "dire need". Within that period of time, increases in all utilities have increased more than previous years. The non-profit organizations consist of three towns, not just Waitsfield, therefore the deficit should not fall only on our town funds.

From day one of all organizations moving into the Wait House after renovation in 1997, it was written in the Town plans and in our Historical Society lease, our space was "donated" to us (or no charge). The Museum also was a given as a room to be managed by the Historical Society-at no rent. It seems to be the norm for Historical Societies in any town where I have spoken to Board members.

You are probably aware that we guaranteed \$50,000 (and came through), to help the town with the purchase of this oldest Historical building in our town. We were also requested to furnish the Meeting Room and the kitchen, which all tenants use, for an additional few thousand dollars.

In 2007 the Historical Society requested to have a contract with the town to start cleaning out & making repairs to the Carriage Barn (to start with) to make it a place for community events & meetings. We had fund raisers and a donation container at all our events to help cover future repair costs to us. We received that contract, and by 2010 we had a grand opening of a "Wine & Cheese Party" for all to see what we accomplished with the donations we received. We spent just shy of \$11,000 to make the Carriage Barn usable. We started having events for the community and visitors at our expense. We continued fund raising to be able to move next onto the Dairy/Horse barn but it needed basic renovation/stabilization before we could start. In other words, a Grant. Also we were told by the Town Selectboard we were not to charge anyone who asked to make use of the Carriage Barn as it was for the community.

In this past year it was discussed the Town was looking in to replacing the roof on the Wait House (as per the Brad Cook Report of 2021). The Historical Society put out requests for donations to help with this through a Valley Reporter article, envelopes at Town Meeting and in our Newsletter. With what we received, knowing that the trees would need to be removed before a roof replacement took place, our Board of Directors agreed to offer to get an estimate and to pay for tree removal, (roof replacement was quite a bit off from our collected funds!). The Historical Society Board members have always cared for the condition of the Wait House and reported when they were aware of needs.

With all considered, with the efforts of the Historical Society since moving into to the Wait House in 1997 and helping in ways we were capable of, we request that you will continue to have us remain rent free, a non-paying Life Tenant. We will help the Wait House Commission in the future to do fundraising for Wait House needs as we are able.

I have been a member of the Historical Society since 1999, was asked to join the Board of Directors in 2009 and served in most positions since through the years.

We are including our check for \$2,450 to cover the Whitney Tree Service bill as we made arrangements with you at a Selectboard meeting back in October 2023, before the Wait House Commission was formed.

Very sincerely,



Lois De Heer
President Waitsfield Historical Society



Whitney Tree Service
PO Box 705 Waitsfield, VT 05673

Invoice #8054
Date: 06/07/2024

WHITNEY TREE SERVICE

Invoice For

Gib Geiger
1719 Common Rd.
Waitsfield, VT 05673

main: (802) 496-9250
mobile: (802) 349-7250
geiger@gnatvt.net

Location

4061 Main St
Waitsfield, VT 05673

4061 Main St 05673

Terms
Due on receipt

ITEM DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
1) Com-General tree work Tree Work on 6/6/24 Removed maple at right front corner of garage/barn Cut stump low	1	\$ 0.00	\$ 0.00
2) Com-General tree work Removed crabapple tree in front by walkway and "Information" sign Grind stump	1	\$ 0.00	\$ 0.00
3) Com-General tree work -Removed large crabapple tree from NE side -Ground stump	1	\$ 0.00	\$ 0.00
1-3) Com-General tree work Cost for items 1-3	1	\$ 1,750.00	\$ 1,750.00
4) Com-General tree work Removed maple and ground the stump	1	\$ 700.00	\$ 700.00

Total \$2450.-

As per the Board of Directors of the Waitsfield Historical Society of 2023, we are covering the cost of the Whitney Tree Service bill which the Town of Waitsfield paid this year, 2024.

Laird DeSier, Waitsfield Historical Society
President

