

Approved 8/4/2022

Weston Conservation Commission Meeting Minutes
Thursday, July 7, 2022 (In person and Zoom)

Attending: Andrew Harper, Deborah Hennessey, Loretta Murphy, Ken Hall, Marguerite Mason, Donald Hart

Public: Merrill Bent (Town Atty), Ann Fujii (Selectboard), Tim Goodwin (Selectboard), Jon Hennessey.

Meeting Called to Order: 7:02 pm

Requested Changes to Agenda: None

Public Comment: Atty. Bent suggested Public Comment be addressed to particular agenda items.

Review and Approve June 2, 2022 Minutes: Draft minutes of the June meeting, taken by Ken Hall and posted. Andrew Harper stated that he did not think they were accurate and handed out revised minutes for all to read. Motion made by Mr. Harper to approve revised minutes. Seconded by Marguerite Mason. Discussion: Mr. Hall countered requesting the original draft minutes be discussed. Deborah Hennessey moved to table the discussion until disparity in minutes can be resolved. Mr. Harper seconded. Motion to table approved unanimously.

Alleged Open Meeting Violations Discussion – Deborah Hennessey responded to the alleged violations of the WCC to the Open Meeting Law that occurred during the past year. These violations were brought forward by Mr. Hall at the June 2 meeting and in subsequent memos regarding proper notification of meetings and the timely posting of the agenda and minutes as stipulated in the Open Meeting Statutes. Hennessey read and submitted the following statement:

“We acknowledge that some procedural errors were made this past year in regard to WCC agendas. During COVID, we did not post the WCC agendas at the Weston Post Office. Also, apparently as of Jan 18, 2022, the electronic link should have gone on the posted agenda to permit public attendance.

Our actions were neither intentional nor willful. There was no malicious intent. In fact, in an effort to keep everyone in the communication loop, this past year I hand delivered our agendas to one of our members who, I believe does not have email. I delivered hard copy of the agendas to his mailbox at the end of his driveway, as well as kept in touch with him by phone. Some circumstances were beyond our control, specifically in regard to certain technical difficulties we had with our remote meetings.

Going forward we will make an effort to follow open meeting statutes and see that all WCC business and matters are done by the book.”

Discussion ensued between Mr. Hall and Mr. Harper pertaining to the specific violations, dates and statutes cited by Hall. Harper asked Hall if he had attempted to reach out to any WCC members prior to June 2 to obtain the meeting information. Hall responded he had not. Hall moved to find that the violations were inadvertent and that the missing agendas for September 2021, October 2021 and February 2022 be posted on the website and placed into the public record. Seconded by Marguerite Mason, approved unanimously.

Reapprove All Previous WCC Minutes – Mr. Hall made a motion to let stand (ratify?) the minutes of September 2021, October 2021 and February 2022 as is. Seconded by Marguerite Mason. Unanimously approved.

Approve Any Previous WCC Actions, if any, Taken at Meetings Without Sufficient Notice

Deborah Hennessey noted that she and Andrew Harper had reviewed all minutes and found no actions needing ratification. Ken Hall made a motion to let any actions taken dating back one year from tonight stand. Atty Bent clarified that Hall meant “ratifying” and full board reapprove the minutes of the past year. Seconded by Don Hart Unanimously approved.

Discuss Policies and Protocol to Avoid any Future OML Violations - Hennessey reiterated that WCC would make every effort to avoid future violations. Hall requested a motion for the board adopt the following written policy:

“All meetings of the Weston Conservation Commission are open to the public. Agendas shall be posted and made publicly available prior to regular and special meetings as required by statute and, in the case of meetings held remotely, shall include any instructions necessary to allow public participation.

Minutes will be taken at all meetings, to be posted and made publicly available as required by statute.

All agendas and meeting minutes shall be part of the public record, available for public inspection, as required by statute.”

Marguerite Mason questioned the need for this policy if it is a statute. Hall replied that he felt it was necessary to avoid issues. Atty Bent confirmed it would be appropriate to specify what measures are at issue here that were missing as stated and good practice to do so as recited and be placed in the minutes of meeting the obligations under the cure statute for OML violations. The Policy was reread as a motion made by Ken Hall. e Second by Marguerite Mason. Unanimously approved.

Hall requested training and that the Vermont League of Cities and Towns Open Meeting Law FAQ’s publication or link to the online version be provided to all WCC board members.

Ken Hall made motion that OML violations cured according to Statute. Seconded by Don Hart. Unanimously approved.

Hall commented on Harper's inappropriate language at the last meeting and requested that all WCC members refrain from using inappropriate and foul language directed toward other members in the future. Atty Bent suggested chair Hennessey thank Hall for his comment and move on. This was done.

WCC Projects Update:

- **Bee the Change:** Deborah Hennessey has scouted several potential local sites for a pollinator meadow as part of the Bee the Change statewide program to create pollinator habitat. She will bring new member Marguerite Mason up to date on the project. This is a popular program and will take time to implement.

- **Civilian Conservation Corps Trail:** Weston Historical Society finalized the text and design for the kiosk however a new sign maker will need to be found as Chip Edson/Flying Cow is no longer in business. WCC will need to obtain a new estimate and request funds from the Perry Neff Fund to pay for the sign. WCC will reach out to the Historical Society to share the costs. Andrew Harper made a motion to request up to \$400 from the PN fund for the CCC sign/Kiosk. Second by Marguerite Mason, 5 approved, 1 abstained. Motion passed.

Additional discussion took place on the details of the Perry Neff fund. An update on the the current balance and specifics will be provided at the next meeting.

Ken Hall asked about documentation on this project. Ann Fujii, as former chair of the WCC replied that all reports concerning activities and meetings were included in WCC meetings and documented in the minutes.

- **Turner Road/Peabody Hill Trail Prospects:** No update.

Old and New Business:

Discussion of VT statutes on Vermont Conservation commissions:

Ken Hall noted that there had been no organizational meetings since 2019 including election of officers and no documentation. Hall also noted that the WCC is operating without a Treasurer and Secretary. Deborah Hennessey explained that Treasurer Jeff Lennox had recently resigned and Secretary Anne Degan's term ended in April. Don Hart moved to place on the agenda for the August 4th meeting election of officers – a Clerk, Chair, and Treasurer to fill the current term. Seconded by Andrew Harper. Unanimously approved.

Deborah Hennessey mentioned possibility of cosponsoring a lecture with WHS and WCC. Will follow up.

Andrew Harper mentioned that the website needed to be updated with current WCC members. Ann Fujii reported that it is up to date as of today. Harper asked if WCC emails or phone

numbers should be included. Hall asked if WCC had email. Tim reported usual practice is for Town boards to use "...@westonvt.org." Hall recommends not using personal emails. It was decided to discuss further. Marguerite Mason volunteered to look into digital presence and outreach for WCC.

Andrew Harper reported that he attended a field trip with National Forest Service on "early forest successional habitat" and there are 3 local sites. - Priory and West River sales. Harper will provide more thorough report and maps at the next meeting.

Public Comment -Jon Hennessey commented that it was inappropriate and harmful for members of the Weston Conservation Commission to display such animosity and to threaten legal action against others in a public forum/publication when a meeting to resolve issues had been scheduled. This behavior is detrimental to volunteerism.

Meeting adjourned by Chair Deborah Hennessey at 8:30 p.m.

Respectfully submitted, Ann Fujii

Next meeting: August 4, 2022 7 pm