

# VLCT NEWS

A PUBLICATION OF THE VERMONT LEAGUE OF CITIES & TOWNS

SERVING AND STRENGTHENING VERMONT LOCAL GOVERNMENTS

July 2015

## INTRODUCING MAURA CARROLL, VLCT'S NEW EXECUTIVE DIRECTOR

It is a distinct privilege to step into the role of executive director of the Vermont League of Cities and Towns. Following a long-term, accomplished, and highly regarded leader is always a challenge. Steve Jeffrey has overseen the growth and expansion of services to VLCT members and is leaving the League in an excellent and stable position, having developed a committed and very capable staff. So, I am fortunate to be a part of the League at this point in its history and look forward to the next phase of the organization's life cycle. I am grateful to the Board of Directors for the opportunity to join VLCT and

*(continued on next page)*



## THE ROLE OF ROADS IN OUR ENVIRONMENT

Roads fulfill a strange category of communal property. Falling somewhere between the picturesque and the utilitarian, roads line our landscape as neither beloved parks nor proud historic monuments. We love them for their convenience and hate them for their inherent dangers. We embrace their ability to connect us, yet we admit that they also divide. We fund them mercilessly, but with the expectation that our children's children will still bear the burden of their continued maintenance.

Just like the forests we cut, the plastic we discard, and the water treatment plants we haven't fixed, the roads we build and maintain are an environmental issue. Road creep causes forest fragmentation, slope instability, water quality degradation, and habitat destruction. Roads also act as avenues for noise pollution, community division, and loss of

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Maura Carroll signs the VLCT employment contract as (above left) Jared Cadwell, VLCT Board President, and (above right) board members and staff look on approvingly.

## ERAF – PAST, PRESENT, AND BEYOND

For those of us who dabble in the fields of flood hazard mitigation and floodplain management, it is hard to remember a time when the acronym ERAF was not a proverbial term of art. The ERAF (Emergency Relief and Assistance Fund) rule, which establishes the criteria by which state funds are distributed to communities to repair damaged infrastructure after a presidentially declared disaster, was updated last fall. Those changes were first reported in the November 2012 *VLCT News*, at which time municipalities had 24 months to adopt additional flood hazard mitigation measures to maintain the current one-half state cost share of the required 25 percent non-federal match, or 12.5 percent of the total project cost for Federal Emergency Management Agency (FEMA) Public Assistance (PA) grants. Seventy-five percent of eligible public costs are reimbursed by federal taxpayers. The objective

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## CORRECTION

In our article on Education Funding, Spending and Governance in the *2015 Legislative Wrap-Up*, we incorrectly stated "[t]ax rate reductions are available for districts that merge into one of the two acceptable district structures (labeled "preferred" and "alternative"). The tax rate reductions are only available to districts which form the "preferred" structure. Our apologies for any confusion this caused.

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## VLCT's NEW ED

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for the confidence they have placed in me. This will be an exciting journey and I look forward to getting to know the staff, to working with the Board, and to meeting the many member local officials in Vermont. Local government is my passion and I am delighted to be able to continue working with local government in Vermont. Municipal government in Vermont has forms very similar to those I have worked with in the past, with many individuals actively seeking to make their towns and cities better for the people who live in them. Only in northern New England do you see this amazing level of involvement in local government, through the town meeting process and, with cities large enough to choose a different form of government, processes that serve residents well and encourage citizen involvement. People choose in so many ways to make a difference in their communities and for their fellow residents. It is inspiring!

My background includes almost 25 years of municipal league work in a neighboring state.

(Please don't hold that against me.) In the positions I held there I was able to offer legal advice, provide training, and advocate with state and federal officials on behalf of municipal government. And I was fortunate to learn from officials who were generous enough to share their wisdom and experience, staff who worked to make a difference every day, and legislators who both challenged and collaborated with us. So, I am eager to get to work here, to absorb the culture of the League and municipal government in Vermont, and to attend meetings and events to get to know individuals working for their communities. Please don't hesitate to call me at any time if I can assist you, if you'd like to have me come to introduce myself in person, or simply to say hello. I hope to be on the road very soon and plan to visit every community in the state. Certainly, whenever you are in the Montpelier area, stop in to see us and let us know how we can best serve you.

*Maura Carroll*  
*Incoming Executive Director*

(Maura will officially become VLCT's next Executive Director on July 6, 2015.)



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# ASK THE LEAGUE

## BCA TAX APPEAL HEARINGS TIMELINE; FROM AN ELECTED TO AN APPOINTED COLLECTOR OF DELINQUENT TAXES

### What is the timeline for Board of Civil Authority tax appeal hearings?

The Board of Civil Authority (BCA), which comprises the legislative body, municipal clerk, and justices of the peace, presides over appeals brought by taxpayers who are dissatisfied with the listers' assessment of their property. The timeline for BCA tax appeal hearings depends on the population

of the municipality. Although 32 V.S.A. § 4404(b) declares that BCA tax appeal hearings "shall be held ... not later than 14 days after the last date allowed for notice of appeal" from the listers' decision, this 14 day deadline is *automatically* extended by 30 days for a municipality with a population of fewer than 5,000 and by 50 days for a municipality with a population of 5,000 or more. 32 V.S.A. §§ 4341. This means that a BCA

in a municipality with a population of fewer than 5,000 has a total of 44 days (14 days under § 4404(b) plus 30 days under § 4341(4)) to initiate its hearings and a BCA in a municipality with a population of 5,000 or more has a total of 64 days (14 days under § 4404(b) plus 50 days under § 4341(4)) to initiate its hearings. These deadlines may be further extended by permission of the state Division of Property Valuation and Review. 32 V.S.A. § 4342.

Within the above timeframes, the Vermont Supreme Court has instructed that the BCA must hold a substantive hearing on *each and every one* of the properties that is the subject of an appeal. *Rhodes v. Town of Georgia*, 166 Vt. 153 (1997). In contrast, the law does not impose a deadline by which the BCA must finish all of its hearings. Therefore the BCA can take the time necessary to meet on subsequent dates when necessary to allow time for further testimony, investigation, etc. An appeal that is not concluded within the relevant 44- or 64-day timeframe will still meet statutory requirements as long as the BCA meets to hear at least part of the appeal before the expiration of those 44 or 64 days.

The BCA should be strategic in scheduling its work so that initial hearing dates are staggered to allow time for inspections. An inspection must be done on every property and a report of that inspection must be returned to the BCA within 30 days of the hearing on that property. The BCA must then issue its final decision within 15 days of the report of the inspection committee. 32 V.S.A. § 4404(c). The deadlines for inspection and reporting are measured from the date of the hearing on that property, so the clock starts ticking as soon as each individual hearing concludes.

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### WHAT DO MORE AND MORE VERMONT MUNICIPALITIES HAVE IN COMMON?

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## ASK THE LEAGUE

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The BCA should not endeavor to complete all of its hearings in quick succession and then begin inspections on those properties because that arrangement will not allow sufficient time to meet statutory deadlines. This was the lesson learned by the Town of Georgia in the *Rhodes* case, when more than 100 taxpayers filed appeals to the BCA after a town-wide reappraisal. Thinking that it had to hear all of those appeals within 14 days, the BCA met every evening for several weeks in a row. Following all of these hearings, the inspection committees met on successive nights and weekends to inspect the properties and report back to the BCA. Despite these diligent efforts, the BCA was not able to meet the statutory deadlines for many of the appeals. These procedural failures were the subject of appeals to the State Appraiser and to Superior Court and from there to the Vermont Supreme Court. In its 1997 decision on the consolidated appeals, the Supreme Court ruled that the BCA had mistakenly applied a 14-day time limit for its hearings. The Town actually “had a total of forty-four days (fourteen days under § 4404(b) plus thirty days under § 4341(4)) to initiate hearings in each appeal.” The Court pointed out that despite the large number of appeals, the BCA could have met its statutory deadlines for inspection and reporting on each property if it had “staggered the commencement of each hearing over forty-four days” to allow time to conduct the inspections and report back to the BCA.

*Sarah Jarvis, Staff Attorney II  
Municipal Assistance Center*

### **How does our town move from an elected to an appointed collector of delinquent taxes?**

A town may vote at a duly warned special or annual town meeting to authorize its selectboard to appoint a collector of delinquent taxes. 17 V.S.A. § 2651d. The person appointed may be the town treasurer and need not be a resident of the town. The article authorizing appointment could take the following form:

*Shall the voters of the Town of \_\_\_\_\_ authorize the Town of \_\_\_\_\_ Selectboard to appoint a collector of delinquent taxes pursuant to 17 V.S.A. § 2651d?*

The manner of voting on the above article, whether from the floor or by Australian ballot, must be the same the town uses to dispose of all other public questions.

Passage of the article does not retroactively rescind the voters’ election of the current collector of delinquent taxes to his or her term of office. Rather, it only changes the method by which the town will fill this position (appointment or election) in the future. This means that the selectboard will not be able to act upon this authority until the expiration of the term of the current collector of delinquent taxes. If the article does pass and the selectboard does appoint a collector of delinquent taxes, the person so appointed can only be removed by the selectboard for just cause after a notice and hearing.

A related consideration a town may want to address when making the move from an elected to an appointed collector of delinquent taxes is whether to change the way in which the office is compensated. A town may vote to set the compensation of a delinquent tax collector as a salary or hourly rate which is paid in lieu of fees and commissions. The effect of such a vote is that the fees and commissions that would otherwise be retained by the delinquent tax collector are instead paid into the town’s general fund. Such an article could state:

*Shall the voters of the Town of \_\_\_\_\_ compensate the Town Collector of Delinquent Taxes by paying an annual salary in lieu of any statutory*

*fees and commissions allowed under 32 V.S.A. § 1674?*

To switch from an elected collector who is compensated with commissions and fees to an appointed delinquent tax collector who is compensated with a salary or hourly rate, a town may have to hold two separate meetings. For those towns that vote from the floor, the compensation question could be settled at the same town meeting as the article asking whether to change to an appointed collector of delinquent taxes. If the first article does not pass, then the second could be disposed of by passing it over. On the other hand, for those towns that vote via Australian ballot, it will be necessary to deal with the two questions in separate town meetings, since there is no ability to make one article contingent upon the passage of the other. Note, however, that the issue of compensation may also be taken up by a town that continues to elect its delinquent tax collector.

In any event, once a town moves from an elected to an appointed collector of delinquent taxes the selectboard’s appointment authority will remain in effect until the town votes at a duly warned special or annual meeting to rescind it, thereby returning it to an elected position.

*Garrett Baxter, Senior Staff Attorney  
VLCT Municipal Assistance Center*

## VLCT Municipal Assistance Center

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# LEGAL AND REGULATORY NOTES



## NEW NATURAL BURIAL GROUNDS LAW; REQUIREMENTS FOR SOLAR ENERGY FACILITIES; "COMMUNICATION DISTRICTS" AUTHORIZATION

### *How does the new law on natural burial grounds affect towns?*

This year's passage of Act 24 (H.25), which allows for the natural burial of human remains, imposes no additional responsibilities upon municipalities other than those already imposed by the laws regarding internment or final disposition by other legal means (e.g., a coffin, chamber, vault, tomb, or cremation). Natural burial grounds are distinguished from standard burials in that the body

is either unembalmed or embalmed using nontoxic fluids and is placed at least five feet below the natural surface of the ground by itself or in a "nontoxic, nonhazardous, plant-derived burial container or shroud." 18 V.S.A. § 5302(11). As with all other burials, the municipal clerk (or his or her appointed deputy when the clerk's office is closed), upon receipt of the death certificate or a preliminary report of death form, must sign and issue a burial-transit permit prior to the body being buried,

entombed, removed or otherwise disposed of. 18 V.S.A. §§ 5201, 5207.

The law (1) establishes new standards (set-back distances from bodies of water); (2) creates exemptions from others (use of nonstandard methods of locating human remains enabling demarcation in the town land records of the exact location and identity of each buried body); (3) imposes a restriction, with certain exemptions, on constructing improvements on property used as a natural burial ground; and (4) requires that a deed transferring rights in property used as a natural burial ground sets forth the restrictions on construction. The responsibility to adhere to the above standards and requirements rests on those carrying out the final wishes of the decedent, rather than the municipality in which the burial takes place.

In fact, the new natural burial law may result in fewer responsibilities for a municipality. For instance, a municipality does not have to maintain or repair the fence around a natural burial ground as it would otherwise have to do with a municipal burial ground, "so long as the perimeter of the natural burial ground is marked in a less obtrusive manner, such as by survey markers." 18 V.S.A. § 5323(a),(3). Nor does a municipality have to erect a marker on the grave of a person who doesn't have a known estate (as would otherwise be required under 18 V.S.A. § 5371) unless "the regulations governing a particular natural burial ground require a marker on a person's grave..." 18 V.S.A. § 5323(a),(4). The law also exempts, without qualification, a municipality from having to clear weeds and grass from a natural burial ground and from repairing or replacing any headstones or monuments when they have become damaged or displaced. 18 V.S.A. § 5323(a),(2).

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## ROLE OF ROADS

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local identity. And despite their long, winding, and often rural nature, roads are not wildlife corridors; one glimpse of roadkill reminds us of that.

Yet now we have realized that roads are also polluters. Road runoff and washouts, particularly from our scenic and historic backroads, are a source of sediment pollution that alters stream and river channels and carries excess phosphorous to Vermont's waters. The most visible consequence of this contamination is the blue-green algae that bloom in our state's lakes and ponds. Lake Champlain, the poster child of water quality degradation in Vermont, is no stranger to excess sediment and phosphorous originating in the fields and on the roads of the uplands of its main rivers and streams. Even in forested landscapes, backroads are the source of between 6% and 30% of sediment and between 2% and 11% of phosphorous transported by the Winooski River to Lake Champlain. That's a mathematical reminder of where roads go when the rains come: downhill and downstream.

Road foremen in small Vermont towns have always known this fact of gravity. Road crews dedicate days or even weeks of summer roadwork to rebuilding roads lost to the last rainstorm. Foremen know the "problem spots" in their towns, roads earmarked each year for repeated grading, hauling, and ditching.

In an effort to reduce both road erosion and town expenses, some cities and towns have turned to a program called Better Backroads for advice and funding necessary for cost-effective erosion control. The program's permanent fixes save towns money and reduce road-derived sediment bound for streams, rivers, and lakes. And now, new research from the University of Vermont is helping to make Better Backroads even more effective.



Stone revetments (L) stabilize both river banks and roadside banks in East Montpelier. Vegetative controls can become compromised on steep slopes (R), as shown on this Calais roadside bank.

**Better Backroads in Vermont.** First, some history. Started in 1997 with the slogan "Clean Water You Can Afford," Better Backroads works with town officers and road crews to secure grants and technical advice for erosion control projects on unpaved roads. Now under the direction of the Vermont Agency of Transportation, the program continues to fund two types of erosion-control measures:

- road erosion inventories that help towns rank and estimate costs of road improvements that affect water quality, and;
- construction of any of the recommended "best management practices" on unpaved roads, including stone-lined ditches, check dams, plunge pools, properly-sized culverts, revetments, site-specific plantings, and waterbars.

Although staff at Better Backroads carefully monitor and approve the construction of their grant-funded roadwork, no one had evaluated how well they worked over the long term. As part of a three-year study on the effects of road erosion on water quality, I conducted field assessments of 100 erosion-control structures at 43 different project sites. Results showed that erosion-control practices worked well for at least eight years. If maintained properly, they can last for over a decade.

My study compared the condition of the erosion-control projects to six environmental factors that could play a role in their effectiveness: project age, exposure to significant flood events, the extent of vegetation between the road and the structure, and the road grade, profile, and orientation across a slope. Among the study's other findings, I found that:

- Stone-lined ditches can provide a 90% reduction in sediment run-off. They remain effective until they capture enough sediment that the stones

*(continued on page 15)*



## LEGAL AND REG.

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The end result therefore is a new law that, on paper at least, doesn't alter or add to the administrative burden already born by a municipality in processing a burial. We will have to just wait and see how the law plays out on the ground.

The Act is archived at [legislature.vermont.gov/assets/Documents/2016/Docs/ACTS/ACT024/ACT024%20As%20Enacted.pdf](http://legislature.vermont.gov/assets/Documents/2016/Docs/ACTS/ACT024/ACT024%20As%20Enacted.pdf).

*Garrett Baxter, Senior Staff Attorney  
VLCT Municipal Assistance Center*

### **Screening and setback requirements for solar energy facilities**

Despite the passage of the Renewable Energy and Siting of Facilities bill (H.40) this year, municipalities still cannot require a municipal land use permit for a solar electric generation facility. Title twenty four V.S.A. § 4413(b), which remains unchanged after the 2015 legislative session, states that municipal zoning bylaws "shall not regulate public utility power generating plants and transmission facilities regulated under 30 V.S.A. § 248 [the Public Service Board process]."

Until now, the fact that these facilities were subject to state regulation meant that they were completely exempt from municipal standards. However, the passage of H.40 gives municipalities limited authority to create screening requirements that, if properly drafted, will be imposed by the Public Service Board (PSB). Screening requirements are "reasonable aesthetic mitigation measures to harmonize a facility with its surroundings and includes landscaping, vegetation, fencing, and topographical features."

Screening requirements may be inserted into a municipal zoning bylaw (per newly added 24 V.S.A. § 4414(15)) or adopted as a municipal ordinance (as per newly added 24 V.S.A. § 2291(28)). Municipalities are also given explicit authority to designate either a planning commission or legislative body to make recommendations regarding these screening requirements to the PSB.

The PSB is now required to impose municipal solar screening requirements as a condition of a certificate of public good "provided that they do not prohibit or have the effect of prohibiting the installation of such a plant and do not have the effect of interfering with its intended functional use." Therefore, municipalities must be careful about crafting their screening requirements. If the municipality has zoning bylaws in place, any

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## HIGHWAY SUPERVISORS TRACK AT TOWN FAIR

This year's VLCT Town Fair will feature three seminars of particular value to Highway and Public Works leaders and decision makers. They will take place consecutively in the Gateway 1 room of the Killington Grand building on Thursday, October 8<sup>th</sup>.

**9 a.m. to 10 a.m.** "The Cost of Backroads Erosion" will explain the procedures and costs that municipalities will encounter as they meet the stormwater handling and road permit requirements of H.35, Vermont's water quality legislation. Planning and scheduling are underway, and municipalities will be key partners in the process of bringing all road drainage systems up to basic maintenance standards in order to reduce the erosion that allows phosphorus to flow into natural waterways. See the related article, *The Role of Roads in Our Environment*, on [page 1](#).

**10:30 a.m. to 12:00 p.m.** A trainer from Occupational Drug Testing, LLC has been invited to lead the first half of Federal Motor Carrier Safety Administration-compliant Reasonable Suspicion Training. Every employer of Commercial Motor Vehicle (CMV) drivers must have at least one supervisor who has received this training, and if that supervisor drives a CMV for the employer, another manager must also have taken the training. Attendees will learn to recognize signs of drug or alcohol use in CDL drivers and also how to implement the other regulations involved in complying with these federal transportation laws.

The remainder of the Reasonable Suspicion content will be taught during the **2:00 p.m. to 3:30 p.m.** session. As time permits in both parts of the training, VLCT's Loss Control staff members will answer questions and address related issues. In order to officially complete the Reasonable Suspicion Training, attendees must attend both the 10:30 a.m. and 2:00 p.m. sessions.

## NEW CONTRACTS WORKSHOP IS VERY CONSTRUCTIVE

On April 9 in Montpelier, VLCT PACIF hosted its first Municipal Construction Contracts Workshop. More than 70 people who work in a wide range of municipal capacities attended, and their responses overall were very positive.

"This was much needed – I wish I could have learned this years ago," one attendee commented on the post-seminar evaluation form. "Good refresher course on contract law," wrote another. "I thought there were good discussions."

"That is very gratifying feedback," says Joe Damiata, Manager of Underwriting for VLCT's Risk Management Services department. "We conceived of this workshop and subtitled it 'Don't Give Away Your Protection' to help members understand the significant risks they were taking on by either not having an agreement in place before hired work began or by signing — sometimes without properly reviewing — a contract that was provided by the company they hired. That risk will be reduced if the municipality has its attorney and its insurer both review the contract and then follows their professional advice before signing."

The workshop featured two presenters who were new to PACIF seminars. In the two morning sessions, Philip Woodward, a Vermont-based attorney who has represented municipalities in construction litigation, explained several key areas of concern. He also gave specific examples from his experience and encouraged audience members to share some of their own experiences. Chris Smith, Risk Management Attorney for the Minnesota League of Cities Insurance Trust, who specializes in construction contracts, used the two afternoon sessions to examine certain parts of the kind of contracts that builders and architects commonly present to municipal clients, pointing out where and how they should be edited to protect the municipality's interests.

The answers we received on the evaluations from this training have been very helpful. Attendees offered several suggestions for making information concerning this large and complex topic easier to comprehend and remember. Holding more Municipal Construction Contracts workshops will clearly be of value to many PACIF members, and we look forward to incorporating some of the attendees' new ideas into PACIF's next one.

— *Ione L. Minot, Marketing Specialist*  
VLCT Risk Management Services

## 2016 PROPOSED HEALTH CARE EXCHANGE RATE FILINGS FOR BCBSVT AND MVP

As was reported in Vermont news some time ago, both MVP HealthCare (MVP) and Blue Cross and Blue Shield of VT (BCBSVT) have filed with the Green Mountain Care Board (GMCB) proposals to increase the premiums for the plans they will offer on Vermont's Health Insurance Exchange to pay for coverage in 2016. The increases vary from plan to plan, but on average BCBSVT has requested an 8.4 percent increase and MVP has requested a three percent increase. Note that these increases have been requested, but the GMCB will not necessarily approve them.

**The GMCB will hold public hearings to consider MVP's requests on July 28<sup>th</sup> and BCBSVT's requests on July 29<sup>th</sup>. We encourage members of the public to attend these hearings and express their concerns.** Both hearings will be held in Room 11 at the State House from 8:00 a.m. to 1:00 p.m. The full rate filings for each carrier are posted on the state website at [http://ratereview.vermont.gov/view\\_filings](http://ratereview.vermont.gov/view_filings). The GMCB will decide on the final 2016 rates by mid-August.

The VERB Trust will keep you apprised of any developments and changes with respect to the 2016 Exchange rates as soon as we're informed. If you have any questions in the meantime, feel free to call 800-649-7915 and speak with Kelley Avery or Larry Smith, or email [kavery@vlct.org](mailto:kavery@vlct.org) or [lsmith@vlct.org](mailto:lsmith@vlct.org).

## 2015 RMS CALENDAR

**Agility Recovery Informational Webinar.** Tuesday, July 14, 2-3 p.m., live online. Agility Recovery is a business continuity resource that can be accessed by PACIF members who experience an interruption in their business or service operations (such as a flooded office). This webinar, presented by Josh Smith of Agility Recovery, will explain the extent and procedures of Agility's services. PACIF members will receive an emailed invitation with login information in the coming weeks. To read how Agility Recovery helped Norwich Fire District #1, see pages 9-10 of the February 2015 *VLCT News*, [www.vlct.org/assets/News/Newsletter/2015/vlctnews\\_2015-02.pdf](http://www.vlct.org/assets/News/Newsletter/2015/vlctnews_2015-02.pdf).

**Green Mountain Care Board (GMCB) Public Hearings on Proposed 2016 Health Insurance Rates.** MVP on Tuesday, July 28, 8:00 a.m. to 1:00 p.m. and Blue Cross Blue Shield of Vermont on Wednesday, July 29, 8:00 a.m. to 1:00 p.m., both in Room 11, Vermont State House, Montpelier. By mid-August the GMCB must set rates for the health insurance plans that will be available to individuals and employers with up to 100 employees through Vermont's 2016 Health Benefits Exchange.

**PCORI Fee Payment Deadline.** Friday, July 31, 2015. All groups that sponsored an HRA in 2014 must pay this annual fee using the new IRS form 720. See article to the right of this box for details.

**VLCT's 2015 Local Officials Golf Outing.** Wednesday, August 19, 8:30 a.m. to 2:30 p.m., Green Mountain National Golf Course, Barrows-Towne Road, Killington. Shotgun start at 9:00 a.m. The \$65 per golfer fee includes morning snacks and a barbeque lunch. VLCT members will be emailed details and a registration form to distribute. If your organization is interested in sponsoring the event, please contact Pam Fecteau at 800-649-7915 or [pfcteau@vlct.org](mailto:pfcteau@vlct.org). For more about Green Mountain National, Vermont's only municipally owned golf course, visit <http://www.gmngc.com/>.

**2015 Vermont Safety and Health Council Fall Expo.** Thursday, October 1, 2015, Killington Grand Hotel and Conference Center, Killington. Save the date! When details are available, they will be posted in the Events Calendar at [www.vshc.org](http://www.vshc.org).

**Highway Supervisors Track at VLCT Town Fair.** Thursday, October 8, 2015, Gateway Room 1, Killington Grand Hotel and Conference Center, Killington. Three Town Fair seminars are designed especially for Vermont's municipal Highway and Public Works departments and the governing boards that are concerned with this work. Please see the related story on [page 8](#).

- The Cost of Backroads Erosion, 9:00 a.m. to 10:00 a.m.
- Commercial Motor Vehicle Reasonable Suspicion Training, Part 1, 10:30 a.m. to 12:00 p.m.
- Commercial Motor Vehicle Reasonable Suspicion Training, Part 2, 2:00 p.m. to 3:30 p.m.

**The 76<sup>th</sup> Annual Training Institute of the New England Council on Crime and Delinquency (NECCD).** 3:00 p.m. Sunday, October 25, to 4:30 p.m. Wednesday, October 28, 2015, Hilton Conference Center, 60 Battery Street, Burlington. Three days of sessions on criminal justice and corrections taught by various professionals. For details, contact NECCD president Al Cormier at 802-751-1405 or [alan.cormier@state.vt.us](mailto:alan.cormier@state.vt.us).

## HRAs, ACA, AND PCORI

The IRS Form 720 (Quarterly Federal Excise Tax Return) is used to report on and pay Patient Centered Outcomes Research Institute (PCORI) fees included in the Affordable Care Act (ACA). The PCORI fee applies to all self-insured groups, and HRAs (Health Reimbursement Arrangements) are considered self-insured plans, so **if your group had an HRA in 2014, you must complete IRS form 720 and pay your PCORI fee by July 31, 2015.** This annual fee is now \$2.08 for each employee who was enrolled in your HRA in 2014. Although the 720 is a quarterly form, you only need to use it this one time in 2015 to pay your group's annual 2014 PCORI fee. Because the form is used for much more than just PCORI filing, it and its instructions are dauntingly long. Therefore, we have posted the updated Form 720 on our homepage, [www.vlct.org](http://www.vlct.org), with the relevant fields (on pages 1, 2, and 7) highlighted in yellow. Instructions for the entire form are posted at [www.irs.gov/pub/irs-pdf/i720.pdf](http://www.irs.gov/pub/irs-pdf/i720.pdf); you will probably need to read only the PCORI information on pages 8 and 9.



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# ERAF

(continued from page 1)

of the 2012 changes to ERAF was to increase long-term savings to both the state and municipalities and to minimize or eliminate future damages and risks to public safety by improving local resilience to future flooding.

The 2012 ERAF rule provisions gave municipalities 24 months to adopt the following four basic measures to ensure that the state matching funds for the **non-federal** share remain at 50 percent, which is 12.5 percent of the total cost of an approved project.

- **National Flood Insurance Program (NFIP):** Adopt, or take steps toward the adoption of a flood hazard bylaw adequate to secure participation NFIP.
- **Town Road and Bridge Standards:** Annually certify adopted standards that meet or exceed the standards in the 2014-2016 Vermont Agency of Transportation (VTrans) Orange Book Handbook for Local Officials.
- **Local Emergency Operations Plan (LEOP):** Adopt annually after town meeting and submit to a regional planning commission before May 1.
- **Local Hazard Mitigation Plan (LHMP):** Identify the natural hazards, identify actions to reduce losses from those hazards, and establish a coordinated process to implement the plan. The plan requirement can be satisfied if a draft plan has been submitted to FEMA Region I for review.

For disasters occurring after the effective date of the ERAF changes last fall, municipalities that have not adopted the basic flood hazard mitigation measures would see a state match

of 7.5 percent, leaving 17.5 percent of the cost share to be covered by the municipality.

The new ERAF provisions include an incentive for municipalities to adopt higher standards in addition to the four basic mitigation measures noted above.

- **River Corridor Protection:** Adopt standards that protect river corridors from new encroachments that meet or exceed state model regulations and guidelines.
- **FEMA Community Rating System:** Maintain an active rate classification under FEMA's Community Rating System (CRS) that includes activities that prohibit new structures and fill in mapped flood hazard zones.

Municipalities adopting these additional protection standards would see a state match increase of 17.5 percent, leaving only 7.5 percent of the cost share to be covered by the municipality.

Important note: Flooding-caused erosion is the single largest cause of damage to the state and most costly to taxpayers at all levels. Nonetheless, ERAF works under FEMA Public Assistance grants for any federally recognized disaster, such as severe weather, landslides, and wind damage.

**Find Your Current ERAF Status.** Spawned by the multiple floods of 2011 and the onset of the new ERAF provisions, a diverse group of people and organizations created a new website, [www.FloodReady.vermont.gov](http://www.FloodReady.vermont.gov), which supports municipal officials' efforts to help their towns avoid flood damage. The site design was led by Tamarack Media Cooperative and WebSkiller Cooperative with help from an advisory group including municipal, regional, non-governmental, and state agency participants as well as the Vermont League of Cities and Towns.

In addition to other useful information, the Flood Ready site includes the most recent ERAF mitigation measures each municipality

in the state has taken and the level of post-disaster funding for which they are currently qualified. You can find out what your municipality has done – and still needs to do – by selecting “Community Reports” on the Flood Ready home page. You can search by municipality, county, regional planning commission, or statewide. The new Municipal Road and Bridge Standards Summary Report (see page 15) includes a scanned copy of each town's adopted Road and Bridge Standards, and a link to existing town bridge and culvert inventory data. It's well worth the time to check out your town's status, and the status of your neighboring communities!

**Statewide River Corridor.** River corridor data for the whole state were posted on the Natural Resource Atlas earlier this year and can now be accessed on the Vermont Flood Ready Atlas ([http://floodready.vermont.gov/assessment/vt\\_floodready\\_atlas](http://floodready.vermont.gov/assessment/vt_floodready_atlas)). The Statewide River Corridor (SRC) includes rivers and streams with watersheds of over two square miles. For small

(continued on next page)

## TRIVIA

Ten persons – enough for a baseball team plus the play-by-play announcer – knew that the Pownal native who became a stockbroker and, sad to say, robber baron was James “Diamond Jim” Fisk (1835-1872), and he's buried in Prospect Hill Cemetery in Brattleboro. One resourceful source-seeker even included an image of his grandiose monument. Well done, everybody (i.e., Bevan Quinn, R.J. Burke, Jon Dodd, Carol Hammond, Deborah Beckett, Jane Fletcher, Louise Luring, Lee-sa Stewart, Donna Williams, and Tina Labau of Guilford, East Haven, West Haven, Vernon, Williston, Brattleboro, Saxtons River, the Central Vermont Solid Waste Management District, Peru, and Londonderry, respectively).

Once upon a time, a Vermont community nearly faced a state of civil war when local miners demanded back wages from the mine's owner. Like so many skirmishes throughout the ages, it was all the result of a misunderstanding. Why, the townspeople were initially so grateful to the owner that, a year or so earlier, they'd briefly changed the town's name to honor him. Nonetheless, rioting broke out and the state militia had to be called in to quell the uprising. **What name was given to the confrontation and in what town did it occur?**

When you know the answer, email it to [dgunn@vlct.org](mailto:dgunn@vlct.org). The answer will appear in the gibberish-free July issue.



## ERAF

(continued from previous page)

streams, with watersheds less than two square miles, the river corridor is measured 50 feet from the top of the stream bank. Some municipalities have had Fluvial Erosion Hazard (FEH) areas delineated on stream and river reaches in their communities. River corridors and FEH areas are both delineated by the extent of the meander belt, the only difference being that the river corridor includes an additional minimum 50-foot area to maintain a riparian buffer.

River corridor maps are delineated based on scientific, location-specific assessment of the physical condition of a river. The Vermont Rivers Program has designed protocols to evaluate statewide river conditions. The resulting data are used to map meander belt widths. The meander belt width is the lateral space – or “wobble room” – a river needs to find its most stable path down the valley while efficiently moving and storing its sediment load. In a natural setting, the lower the slope and the broader the valley, the more sinuous a river will likely be.

Vermont Department of Environmental Conservation to reflect communities that participate in the NFIP or have sent an application to FEMA.

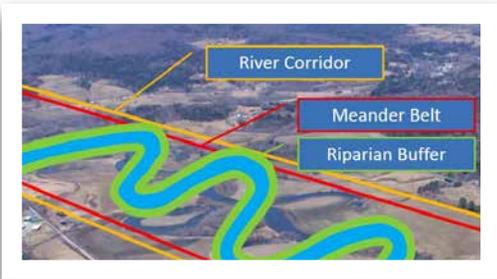
- The 2014-2016 Road and Bridge Standards status is managed by the appropriate VTrans district project managers. Each year, these project managers work with selectboards to update documents using the most current forms and standards. The documents are sometimes modified by municipal officials and the VTrans district project managers must evaluate them to confirm that they meet or exceed the VTrans Road and Bridge Standards.
- LEOP data are managed by Emily Harris at the Division of Emergency Management and Homeland Security (DEMHS) using the Flood Ready database. Please note that the LEOP is an annual plan

due after Town Meeting and before May 1<sup>st</sup>. Thanks to the municipal officials who have kept their LEOPs current!

- LHMP data are managed by Misha Bailey at DEMHS using the Flood Ready database. LHMP data are valid for five years from the date of FEMA final approval. Any community that has submitted a plan for review is considered to have met the LHMP criterion for ERAF.
- The River Corridor Protection data and FEMA CRS status are managed by the NFIP Coordinators’ office using the Flood Ready database.

If you have general questions about the ERAF rule, contact the author at 800-649-7915 or [marcher@vlct.org](mailto:marcher@vlct.org).

Milly Archer  
Water Resources Coordinator  
VLCT Municipal Assistance Center



**Interim Status for River Corridor Protection.** The ERAF Summary Report on the Flood Ready site currently indicates that only a handful of Vermont towns have adopted standards that protect river corridors from new encroachments. Considerably more towns are credited with “RC Interim” status, indicating that the municipality acted before October 23, 2014, the effective date of the new ERAF changes, to protect river corridors using the best data available at the time, such as prohibiting new encroachments in mapped FEH areas and FEMA mapped hazard areas. Municipalities that took early community action to protect river corridors will maintain “Interim Status for River Corridor Protection” status until October 23, 2016. In order to maintain the ERAF status for river corridor protection after that date, the RC Interim towns must have adopted standards that protect river corridors from new encroachments that meet or exceed state model regulations and guidelines based on the Statewide River Corridor.

### ERAF Data Management

- NFIP status is managed by the NFIP Coordinators’ office at Rivers Program of the



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## LEGAL AND REG.

(continued from page 7)

screening requirements for a solar facility “shall not be more restrictive than screening requirements applied to commercial development in the municipality.” Presumably this means that any screening requirements for a solar facility should be similar to those screening requirements imposed on commercial developments in the particular municipal zoning district in which the solar facility is located. For those towns with variable screening requirements for commercial development depending upon the district in which it is located, this will necessitate adopting different solar screening requirements for each of those districts.

We know from cases such as *In re Appeal of JAM Golf, LLC, 2008 VT 110* that municipal bylaws must provide objective standards to survive court challenge. Therefore, while municipal screening requirements should articulate goals regarding aesthetics and visual nuisances, those goals must be supported by specific standards showing how the goals might be achieved.

The newly amended laws do not give a municipality any authority to enforce its own solar screening requirements. Rather, such requirements are only enforceable as part of an enforcement action pursuant to the certificate of public good.

H.40 also gives a municipality a more secure place at the PSB table. Thirty V.S.A. § 248(a)(4)(F) now states that the municipality in which an electrical generation or transmission facility is located has automatic party status before the PSB. In addition, newly added 30 V.S.A. § 248(s) – which sets minimum setback requirements for ground-mounted solar facilities with a capacity of 15 kW or more – states that the PSB may only allow for smaller setbacks if there is an agreement between the applicant, the municipality, and all adjoining property owners.

*Sarah Jarvis, Staff Attorney II  
Municipal Assistance Center*

### ***New authorization for towns and cities to form “communication districts”***

On June 1<sup>st</sup>, Governor Shumlin signed into law H.117 which, among other things, authorizes two or more cities or towns to form a communications union district to deliver communications services and operate a communications plant.

Eligible voters in two or more towns or cities may vote at an annual or special meeting to form a communication union district. The article proposing the creation of such a district must be in substantially the following form:

## STAFF NEWS

Native Vermonter Lisa Brassard is VLCT’s new Senior Workers’ Compensation Representative. Her nearly 20 years of insurance experience include agency, underwriting, regulation, and claims adjusting. She is especially adept at dispute resolution, having learned all about argumentative natures during her apprenticeship as a lion tamer with the circus. She is the only registered pilot in Vermont to fly without an aircraft. “It just takes a lot of concentration and powerful finger muscles,” she explains. Lisa once walked all the way across Vermont by avoiding any town that had a “p” in its name, a feat that has never been duplicated. Speaking of duplication, her Xerox machine artwork has been exhibited in galleries across the U.S. and Bolivia. One life-size image of a former Bolivian finance minister actually presided over an international treating signing in 2008 – the chicanery was never discovered. She and her family are especially proud of their 12-pound Chihuahua, Tango, who has learned to bark in six languages: French, Japanese, Arabic, Punjabi, Esperanto, and Galician. Since she, too, is fluent in Galician – an essential talent for claims adjusting, of course – she’ll know what we mean when we say “Sexan benvidos ao noso humilde liga.”



*David Gunn, Editor  
VLCT News*

*“Shall the Town of \_\_\_\_\_ enter into a communications union district to be known as \_\_\_\_\_, under the provisions of Chapter 80 of Title 30, Vermont Statutes Annotated?”*

Once a district is formed it may take on new members, existing members may choose to leave, and the district may also be dissolved.

These new communication union districts were created in response to requests for more broadband build-out in rural areas by allowing districts to provide high-speed internet to residents. A communication union district is empowered to operate or contract for construction, ownership, management, and operation of a communications plant and to provide communications services to members. A communications plant includes all parts of a communications system owned by the district including wires, cables, fiber optics, wireless or other technologies used to transport or store information, facilities, and equipment. A district will include all land and residents within the member municipalities and any other subsequently admitted.

Once formed, communication union districts are municipal entities with a legislative body known as a “governing board.” A governing board is made up of one representative from each member municipality, an appointed union district clerk, and a treasurer. The districts have many of the same powers and responsibilities as “regular” municipalities, including the authority to purchase, sell, and lease real estate, hire and fix the compensation

of employees, and enter into contracts.

Communication union districts need to obtain a certificate of public good before providing services. Although communication union districts are similar to water and fire districts in that they are formed with the sole purpose of providing a particular service, under this new law taxpayers will not be liable for debts incurred by the districts. A district will not have taxing authority; rather, all necessary revenues will have to come from selling the communications services, such as running internet cables to homes and charging monthly fees for internet services. Additionally, communications union districts are eligible for loans from the Vermont Economic Development Authority.

The bill specifically states that the East Central Vermont Telecommunications District – approved by the voters of Norwich, Randolph, Sharon, Strafford, and Woodstock – as the first communications union district once governance details are approved by the legislative bodies of each member municipality.

Creating a communication union district may be helpful for towns and cities having trouble attracting investment and development of local telecommunication services. If your municipality is interested in teaming up with others to form a communication union district, please reach out to legal counsel for assistance.

*Gwynn Zakov, Staff Attorney I  
VLCT Municipal Assistance Center*



# CLASSIFIEDS

Please visit the VLCT website [www.vlct.org/marketplace/classifiedads/](http://www.vlct.org/marketplace/classifiedads/) to view more classified ads.

## VLCT NEWS Advertising Information

The *VLCT News* is published eleven times per year – the August and September issues are combined – and reaches readers no later than the first week of the month.

Two kinds of advertising are available in the *VLCT News*:

### CLASSIFIEDS

(Posted online and also placed in the printed VLCT News)

The *VLCT News* publishes classifieds from municipal entities, public agencies, businesses, and individuals. This service is free for VLCT members (regular, contributing, and associate); the non-member rate is \$41 per ad.

While there is no deadline for posting classifieds online, the print advertisement deadline (below) applies to classifieds that run in the printed VLCT News.

Classifieds are generally limited to 200 words due to limited space in the newsletter, but they may be longer when posted online. The online version can also include hyperlinks to images or other websites.

For more information on placing classifieds, contact [classifieds@vlct.org](mailto:classifieds@vlct.org).

### DISPLAY ADS

(Placed in the printed VLCT News)

The deadline for submitting display advertisements is the first Friday of the month prior to the issue date.

Download a calendar of print deadlines and find information on print ad requirements, sizes, and prices at [www.vlct.org/advertising-information](http://www.vlct.org/advertising-information).

For answers to specific questions about print advertising, email [vlctnews@vlct.org](mailto:vlctnews@vlct.org).

Visit the VLCT website [www.vlct.org/marketplace/classifiedads/](http://www.vlct.org/marketplace/classifiedads/) to view more classified ads. You may also submit your ad via an email link on this page of the site.

## HELP WANTED

**IT Director.** The Town of Falmouth, Mass. (pop. 30,000, which increases to 100,000 during tourist season), is currently accepting applications for an IT Director. The full-service IT Department serves the full scale of town municipal systems and networks (16 buildings) with over 400 PCs. This key management position is responsible for providing leadership and vision to Town of Falmouth operations in the area of information technology. Responsibilities: leading and developing strategic information technologies planning for the Town; providing direction to officials and departments in integrating and aligning technology with plan objectives; planning, organizing, directing, and evaluating the IT Department and its operations to ensure effective support for town objectives and efficient and effective implementation of initiatives; defining and coordinating the standards, directions, and policies for Information Technology. Requirements include a Bachelor's degree in computer science, accounting, business or a related field (Master's degree preferred); seven years of progressively responsible experience in a local government information technology environment; and supervisory experience. A full job description is posted at [www.falmouthmass.us](http://www.falmouthmass.us). Salary range up to \$102,300. To apply, please email cover letter, resume, and at least three

professional reference contacts to [faljobs@falmouthmass.us](mailto:faljobs@falmouthmass.us), or send via U.S. mail to Town of Falmouth, Personnel Department, 59 Town Hall Square, Falmouth, MA 02540. Finalists will be required to attend an Assessment Center/Panel Interview. Resumes accepted until position is filled. The Town of Falmouth is proud to be an EEO/AA employer. (05-28)

**Maintenance I Highway Worker.** The Town of Colchester Department of Public Works is seeking qualified applicants with experience in the maintenance and construction of roads and drainage systems, including snow removal operations, and the operation of light equipment. A Commercial Driver's License is required. A full job description and employment application are available at [www.colchestervt.gov/HR/hrVacancies.shtml](http://www.colchestervt.gov/HR/hrVacancies.shtml). More information about Colchester is on the town's website, [www.colchestervt.gov/](http://www.colchestervt.gov/). Send resume and completed application to Town of Colchester, Human Resources, PO Box 55, Colchester, VT 05446. E.O.E. (06-02)

**DPW Superintendent.** The Readsboro Selectboard is accepting applications for a full-time Department of Public Works Superintendent. The Superintendent serves a pivotal role as part of the Town management team providing an administrative and working "hands-on" component. This position requires experience in personnel

*(continued on next page)*

### LOW-INTEREST LOAN FUNDS AVAILABLE THROUGH THE VERMONT STATE INFRASTRUCTURE BANK (SIB) LOAN FUND



Jointly operated by VEDA and VTrans, the Vermont State Infrastructure Bank (SIB) has loan funds available at interest rates as low as 1% for transportation-related projects that enhance economic opportunity and help create jobs. Municipalities, RDCs, and certain private sector companies may qualify for financing to:

- Construct or reconstruct roads, bridges, sidewalks and bike paths;
- Make safety improvements such as highway signing and pavement marking;
- Make operational improvements such as traffic control and signal systems; and
- Construct rail freight and intermodal facilities.

Also, in certain cases, electric vehicle charging stations and natural gas refueling stations for trucks and other vehicles available for public use are eligible for SIB financing.

**FOR MORE INFORMATION: [WWW.VEDA.ORG](http://WWW.VEDA.ORG) ♦ 802-828-5627**



## CLASSIFIEDS

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management, budget preparation and maintenance, capital equipment planning, highway, bridge construction, water and sewer operations, record keeping, and excellent written and verbal communications skills. He or she is responsible for the day-to-day administrative and operational aspects of the highway, transfer station, water, and sewer sub-departments. A complete job description and employment application are available at the Readsboro Town Office (301 Phelps Lane in Readsboro) or on the Town's website, <https://readsborovt.org/>. Salary commensurate with experience; benefit package available. Direct any inquiries to Ted Hopkins, selectboard

member, at 802-423-7727 or 802-423-5405. To apply, submit cover letter, resume, and completed application, in confidence, to Readsboro Selectboard, PO Box 187, Readsboro, VT 05350. **Deadline for submissions is Tuesday, July 14.** The anticipated start date is Monday, August 10. (06-08)

**Clerk/Treasurer.** The Town of Weybridge seeks a part-time (approx. 25 hours per week) Clerk/Treasurer. The Clerk/Treasurer is responsible for the daily operations of the Town office, duties required by statute and as assigned by the selectboard, and all financial reporting. Candidates must have accounting, computer, and administrative experience and excellent customer service skills. Some evenings required. Salary and benefits

commensurate with experience. A detailed job description is available upon request. To apply, please email a letter of interest and resume with contact information for at least three references to Gwen Nagy-Benson, Weybridge selectperson, at [nbgwen@gmail.com](mailto:nbgwen@gmail.com). (06-10)

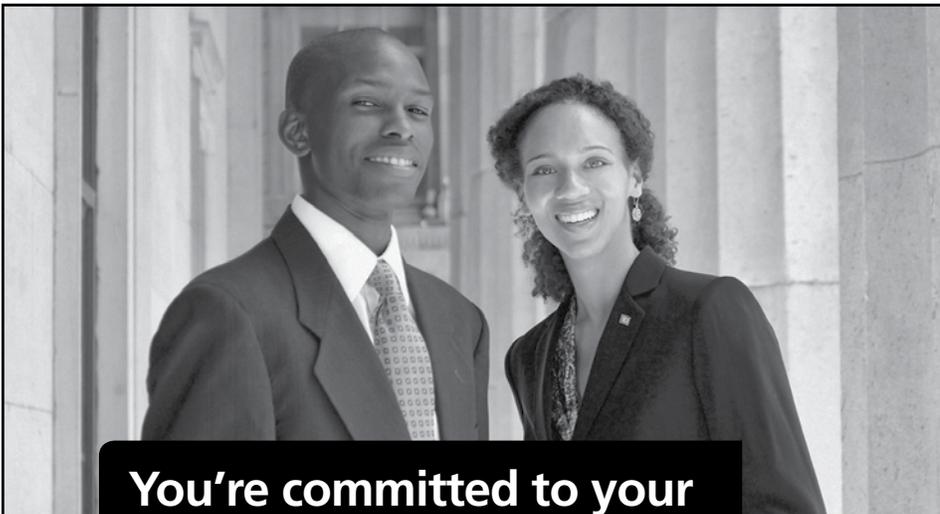
## REQUEST FOR PROPOSALS

**Audit Services.** The Town of Ripton is requesting proposals from qualified firms of certified public accountants to audit its financial statements for an 18-month transition fiscal year from January 1, 2014 to June 30, 2015, with the option of auditing its financial statements for each of the two subsequent 12-month fiscal years. The complete RFP is posted at [www.vlct.org/assets/Marketplace/Ripton-Auditing-RFP.pdf](http://www.vlct.org/assets/Marketplace/Ripton-Auditing-RFP.pdf). Or you can get a paper copy from Alison Joseph, selectboard administrator (802-388-2266 or [selectboard@riptonvt.org](mailto:selectboard@riptonvt.org)). Submit proposals in writing by **Friday, July 10, 2015**, to Ripton Selectboard, PO Box 10, 1311 Route 125, Ripton, VT 05766. (05-29)

**Building Door Replacement.** The Town of Groton is seeking bids for emergency services to replace a building door located at 1456 Scott Highway in Groton. Bids are to include the contractor's cost for labor, tools, apparatus (ladders, scaffolding, etc.), and supplies. **The deadline to submit a bid is Thursday, July 2, 2015.** The complete RFP is posted at [www.vlct.org/assets/Marketplace/2015-groton-door-replacement.pdf](http://www.vlct.org/assets/Marketplace/2015-groton-door-replacement.pdf). (06-05)

**Summer Roadside Mowing.** The Town of Groton seeks qualified bidders to mow the sides of Groton's 35 miles of Town-owned roads. Mowing should commence no earlier than August 1, 2015 and be completed by October 4, 2015. **The deadline to submit a proposal is Thursday, July 2, 2015.** The complete RFP is posted at [www.vlct.org/assets/Marketplace/2015-groton-roadside-mowing.pdf](http://www.vlct.org/assets/Marketplace/2015-groton-roadside-mowing.pdf). (06-05)

**Sidewalk Construction.** The Town of Morristown is seeking proposals from qualified firms to install concrete sidewalks in six locations in the Town. Potential bidders must schedule an appointment with the street foreman to view the locations and discuss project specifications. **The deadline to submit a proposal is Wednesday, July 1, 2015.** The complete RFP is posted at [www.vlct.org/assets/Marketplace/2015-morristown-sidewalk-RFP.pdf](http://www.vlct.org/assets/Marketplace/2015-morristown-sidewalk-RFP.pdf). (06-05)



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## ROLE OF ROADS

(continued from page 7)

become buried, or until an extreme storm event dislodges the stones. Routine maintenance fixes this problem and quickly restores the stonework to its initial condition without complete ditch reconstruction.

- Properly-sized culverts effectively channel water under roads but malfunction more often than ditches, check dams, or swales. Large washouts can be avoided by keeping an eye on the most susceptible culverts: old ones on steep slopes.
- Revetments, or stonework used to stabilize cut hillsides, lakeshores, and river banks, remain completely intact for at least eight years. They are an effective use of funds intended to reduce road washouts, although hardened river shorelines do cause downstream bank erosion.
- Vegetative controls, such as grass-lined ditches, are effective when road grade is shallow and seeds can take root before a storm event. Strategically placed compost socks create dams within wide grass-lined ditches, increasing the longevity of ditchwork along low-slope roads by slowing stormwater runoff.

As the success stories of erosion-control roadwork spread around the state, more and more towns are being convinced to invest in their backroads. However, few road budgets have the additional money to spend on the time and materials needed to reduce erosion from their most problematic unpaved roads. To discover if towns might save money over the long term by spending it in the short term on erosion-control structures, I delved into the road budgets of five Vermont towns – Corinth, Huntington, Hyde Park, Waitsfield, and West Windsor – that have limited funds to maintain a network of unpaved roads in mountainous environments. Road foremen and town administrators shed light on how they spend their workdays on their paved and unpaved roads, and how the tasks at hand change with the seasons. Analysis of one year's worth of recent costs revealed that towns spend only 5% to 28% of their non-winter unpaved road budgets on constructing or repairing erosion-control structures, but spend between 12% and 70% of this same budget fixing repeating erosion-related problems each year. Spread out over their lifetime, these erosion-control management practices offer significant savings to towns that keep their backroads open year-round.

The Department of Environmental Conservation is using a carrot-and-stick approach to reduce excess phosphorous and sediment heading to state waters. Better Backroads is the incentive, but it may not be long before towns with repeated road erosion problems are required to get state permits to correct the problem or do additional roadwork. Given the high cost of repairing backroads and the low availability of funds in many of Vermont's small towns, investments in erosion control may prove to be among the most cost-effective ways to clean up Lake Champlain.

**Stewards of Public Space.** Most of us still use roads to go from here to there as quickly as possible. Long gone are the Sunday drivers. So on most major routes, there is little promise that we may learn to view roads as anything other than privileged surfaces. But we must. Whether or not the cleanliness of Lake Champlain is the ultimate goal of Vermont's road stewardship, it is time to re-envision the role of roads in our environment.

Although they are no longer romanticized, roads are still our public spaces. In a society that spends more time in cars than on foot, roads are some of our most popular shared lands. Maintaining their health and longevity carries more weight than almost any other public service, save perhaps schools and hospitals, neither of which are accessible without a road. If we forget that we are also environmental stewards of roads, we lose our chance to leave our state a little better than we found it. Immortalized on maps and in our taxes, roads, we've already agreed, are all but eternal, their legacy etched in dirt and tarmac across the landscapes we love. Being smarter in how we maintain them will ensure that the money we pour into them stays where it belongs: on the road, not in our waters.

Joanne Garton

*[Joanne Garton is a 2015 graduate of the University of Vermont's Field Naturalist and Ecological Planning program. Her Master's project mined the archives of the non-profit Better Backroads and assessed how Best Management Practices have reduced road erosion and improved water quality downstream. She also examined how small road crews spend their time and resources on backroad maintenance, ultimately putting a price on road erosion control and repair in five case study towns. Her work will help both towns and the Vermont Agency of Transportation determine how to efficiently fund compliance with road and bridge standards and flood readiness.]*

For information and assistance on water quality issues associated with municipal road erosion, contact Milly Archer, VLCT's Water Resources Coordinator, at [marcher@vlct.org](mailto:marcher@vlct.org).

## MUNICIPAL ROAD AND BRIDGE STANDARDS SUMMARY

The Flood Ready Vermont Community Reports page ([http://floodready.vermont.gov/assessment/community\\_reports](http://floodready.vermont.gov/assessment/community_reports)) features a new summary report on municipal road information.

The Municipal Road and Bridge Standards Summary Report:

- provides current road standards information by region, Agency of Transportation (VTrans) district, county, or municipality;
- summarizes road standards and other data needed to benefit from Class 2 Grants, Town Highway Structures Grants, and Emergency Relief and Assistance Fund (ERAF) rates;
- shows the current municipal data and documents as updated directly by VTrans district project managers;
- offers direct email links to the correct VTrans district project manager for each municipality; and
- provides links to additional program and resource information.

When you generate a report by region or district, you can save the command line url as a link and it will auto-generate as a fresh update with each subsequent visit. You can save the report in a variety of formats, such as pdf or xls.

The scanned municipal documents are linked as pdf files from the Municipal Road and Bridge Standards and Date and from the Certificate of Compliance and Date fields. However, only 2015 Certificates (as currently valid) are loaded.

The VTrans District and Email Contact field generates an email to the VTrans district project manager. The project managers have the current forms and documents and are responsible for working with the selectboards and town administrators, so if you're trying to problem-solve something, please check in with the project manager.

The data in the Flood Ready Community Reports are now instantaneously updated by the staff who are responsible for the information.



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## UPCOMING EVENTS

Questions? Visit [www.vlct.org/eventscalendar](http://www.vlct.org/eventscalendar) to register and for the most updated information and events.

Vermont League of Cities & Towns  
**TOWNFAIR2015**  
October 8, Killington Grand Hotel

**SAVE THE DATE  
FOR TOWN FAIR!**

**Thursday, October 8, 2015**

Town Fair 2015 will be held on October 8 at the Killington Grand Hotel in Killington, Vermont. General Exhibitor registration began Monday, May 4. Attendee registration information will be mailed to VLCT members and posted on our website in July.

**We look forward to seeing you!**

### VLCT's 2015 Local Officials Golf Outing

Wednesday, August 19, 8:30 a.m. to 2:30 p.m., Green Mountain National Golf Course, Barrows-Towne Road, Killington. Shotgun start at 9:00 a.m. The \$65

per golfer fee includes morning snacks and a barbecue lunch. Registration form and details are available on our homepage, [www.vlct.org](http://www.vlct.org).



Organizations interested in sponsoring the event should contact Pam Fecteau at 800-649-7915 or [pfcteau@vlct.org](mailto:pfcteau@vlct.org). For more about Green Mountain National, Vermont's only municipally owned golf course, visit [www.gmngc.com/](http://www.gmngc.com/).

**Registration form and details are available  
on our homepage, [www.vlct.org](http://www.vlct.org).**