DRAFT
Minutes
Weston Conservation Commission Regular Meeting
Weston Town Office
June 2, 2022

Present: Deborah Hennessey (Co-chair), Andrew Harper (Co-chair), Don Hart, Marisa Bolognese, Ken Hall

A quorum being present, the meeting was called to order by Deborah at 7:00.

Deborah asked for someone to take the minutes. All but Ken declined.

There were no requested changes to the agenda and no members of the public were present.

February 2022 Minutes – Motion by Andrew to approve, seconded by Marisa. Passed, with Don and Ken abstaining. Ken asked about the November minutes, which were posted as approved but, according to the minutes just approved, had been tabled. Deborah will find clarification.

Bee the Change – Deborah reported that, due to the popularity of the program and limited manpower, Bee the Change was limiting its wildflower plantings to one site per town this year. The site chosen in Weston is the solar field at the Colonial Inn on Route 100, south of the village. Timing of the work is uncertain but they hope to begin in late summer or early fall.

Don asked about legal arrangements, waivers, etc. between private property owners and the Bee the Change program. Deborah said she would look into it and report back.

Ken asked if there was any more involvement of the commission beyond this point and Deborah said there was not.

Deborah will insert the addendum noted in the November minutes into the record.

National Forest Service Plan CCC Trail – Andrew had nothing new to report.

Ken asked about the purpose of the .25-mile trail. Andrew said it was to provide access to the old CCC camp. Ken said that was different than what is stated in the project proposal and that the USFS has consistently tried to discourage access to the camp until survey and inventory work can be done. Ken then asked how the trail had been constructed to meet the mitigation measures in the USFS decision memo. Andrew said USFS has no problem with people accessing the site.

Ken asked about approval for the sign, noting that the USFS decision memo mentions “future opportunities” that “may be possible.” Andrew said he assumes the sign was approved since USFS is building it. Ken asked where to find the documentation for this project, including sign approval. Andrew said he wasn’t sure what was being requested and didn’t know if he had anything but would look. It was suggested that the documentation should be part of the record and Ken asked that it be brought to the next meeting.

Ken asked who would be paying for the sign. Andrew said that USFS was building the structure but the actual sign panels were being produced privately and would be paid for from
the Perry Neff Conservation Fund but didn’t have an exact cost. Don asked when that expenditure had been voted on. Andrew suggested a vote be taken on the spot. Because use of the fund requires an agenda item of its own, Andrew asked that it be placed on the agenda for the next meeting.

Ken asked that, due to the lack of documentation and uncertainty regarding cost and funding for the sign, the entire CCC project be revisited at a future meeting.

**Turner Road Trail Prospects** – Andrew reported that he is planning a volunteer work day on the trail but wasn’t sure when it would be scheduled. Ken gave Andrew a copy of the town’s Class 4 road policy and asked if the work had been approved as required. Andrew said he had the selectboard’s permission. Don asked if anything was in writing. Andrew said it was not.

**Old and New Business**

**Vermont Statutes for Conservation Commissions** – Ken handed out copies of Title 24, Chapter 118, §4501-4506, the enabling legislation for conservation commissions. He pointed out that, contrary to statute, the conservation commission had not held an election of officers or organizational meeting since 2019 and that requirements for public records were not being met.

After Ken questioned whether the conservation commission’s projects were in line with the statutes, a majority of those present said they weren’t aware of the statutes. The conversation became contentious and heated, with disagreements over what conservation commissions are supposed to do and who decides.

Marisa questioned who was actually on the conservation commission. Don said he would find out from the administrative assistant.

**Open Meeting Statutes** – Ken passed out copies of 1 V.S.A. §312, Vermont’s Open Meeting Law, and Act 78, authorizing temporary Open Meeting Law procedures in response to COVID-19. He referenced conservation commission agendas that had not been posted at all, as well as agendas that had not been posted in multiple locations. Don said he couldn’t find an agenda posted in the town office and Deborah said it was the administrative assistant’s job to post agendas in the town office and on the bulletin board outside. Ken asked if that had been confirmed with the administrative assistant and the co-chairs said it was the job of the previous administrative assistant to have told her.

Ken then pointed out that 11 meetings had been held remotely, on Zoom, with no provision for public participation, saying he had wanted to join the February and March meetings but could not. Andrew said it was Ken’s fault because he had made no effort to join in. Ken responded that the only effort anyone needed to make was to get the information from the agenda. Andrew repeatedly swore at Ken and reiterated that Ken was at fault because he’d made no effort. Deborah added that Ken should have called to find out how to join in.

Ken said that any member of the public could file a complaint over this kind of thing and it would be much harder to deal with. He insisted that the commission address the issue now and at least adopt a policy to ensure future violations not happen. Andrew said there was no need
for policies and that Ken was being unreasonable and unrealistic to insist the conservation commission follow the statutes so closely.

Don pointed out that other boards in town very carefully follow the statutes, especially the Open Meeting Law.

Ken repeated that the issue should be addressed before someone filed a complaint. Andrew said that Ken should put any complaints he had in writing. Ken said he would.

Ken motioned to adjourn, Don seconded, and the meeting adjourned at 7:50.

The next scheduled regular meeting is July 7.

Submitted for the record by Ken Hall