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**Town of Middlebury
Creek Road Task Force
Rotary Conference Room
January 3, 2020**

Members Present: Heather Seeley, Peter DeGraff, Dean Rheame, Dean George and Luther Tenny arrived shortly after the meeting began.

Call to Order

Heather Seeley called the meeting to order at 8:00 am.

Approval of the Agenda

George moved to approve the agenda and Rheame seconded the motion. The agenda was approved as presented with 3 in favor and 1 absent (Tenny).

Approval of the Minutes

The approval of minutes was postponed.

Citizen Comments – None

Final Review of Alternative 8.1

They reviewed the edits Seeley made to Tenny's Alternative 8.1. Seeley said Tenny had indicated to her that he had not intended to soften the language around when to close the road as much as Seeley had softened it. She said she doesn't know if part of the recommendation should be what the Task Force feels is a maximum amount of money that should be invested at this time, which is difficult when we could spend \$500,000 this year and another big storm like Irene could wash it all away. George said it was hard to put a number on something we're just guessing that needs to be done. He said he was under the impression at the end of the last meeting that it would be the recommendation to spend a "modest" amount on what needed to be done to keep the road open and they need to define what the minimum standard is to keep the road open.

There was discussion on the level of work to be done on the road, and was the one-way traffic in certain areas of the road meant to be a short-term thing until something could be planned and constructed, or was it intended to be the final fix. Tenny said the intent of his Alternative 8.1 was that this is a reasonable stop-gap measure, maybe 2 to 5 years, to try and secure easements and for landowners to construct their own access to their properties, or the Town can purchase land so they can offset the road in certain areas. Seeley said she doesn't see this proposal as a long-term answer and said we need to be clear that with this alternative there is still work to be done to identify what the long-term plan is. She said their charge was to determine what the long-range plan is, but the result is we need to have stakeholder meetings and there are a lot of questions that need to be answered, so these short-term fixes allow us the time to do the work that needs to be done. Tenny said they need to come together

39 and agree that at some point we will lose a portion of the road and we need to make a plan for that,
40 knowing we can't continue to make these huge multi-million dollar investments to keep this road open.

41
42 Seeley asked them if they should go to the Board and say they need more time to complete the work
43 necessary for a long-term solution and the Task Force wants to continue to do the work, or do they want
44 to go to the Board and say here's a short-term solution, this is what needs to be done, and this is who
45 we think should do the work. Tenny said it's the Town's responsibility to pursue easement agreements
46 and property negotiations with landowners, because he doesn't want to be part of some committee
47 doing that and speaking on behalf of the Town. He said he thinks they should spell out the tasks the
48 Town needs to do. Seeley didn't feel it was fair to go to the Board and say this is what the Town needs
49 to do, because "we" are the Town, so it would be more helpful if we say that Town staff needs to take
50 this on or do we say we recommend hiring someone to do the work. She said she thinks the
51 recommendations need to be specific.

52
53 George said what the Task Force seems to be in disagreement on is what the ultimate goal is. DeGraff
54 said he agrees there are a lot of unanswered questions, but we have to have a goal.

55
56 The Task Force spent considerable time working on the wording of Alternative 8.1, its description, pros
57 and cons, outstanding questions and steps forward. Some topics discussed included:

- 58 • Access for property owners
- 59 • Property acquisitions
- 60 • Available funds for repairs
- 61 • Timeline of repairs
- 62 • Extent of repairs needed to reopen the road
- 63 • Who defines what "safe" conditions are
- 64 • Reclassification of portions of the road in the event there is future damage to the road

65
66 Upon completion of the edits, George made the motion to approve Alternative 8.1 as the
67 recommendation to the Selectboard. Tenny seconded the motion.

68
69 Rheaume said he wanted to see the edits before voting. Seeley had been making the edits on her
70 laptop, so went to print the final version.

71
72 Seeley said she was fine with what the Alternative was saying, but felt there was some reworking of the
73 language needed. DeGraff suggested voting on it as it was, and he would work on the rewording.

74
75 Seeley called the vote and Alternative 8.1 was approved 4-0.

76
77 Seeley said she wished they'd talked more about who would be doing the additional work needed.
78 George said if the Board approved the recommendation, he would be willing to continue to work on the
79 next steps. Tenny said he was interested in doing the walk-through and the work scope going forward,

80 but gets uneasy doing any negotiating with landowners. Rheume agreed that he didn't want to be
81 involved in negotiating considering he might be on the other side of the negotiating table. DeGraff said
82 they need to consider that if a committee does this work it has to be done in public meetings, and you
83 don't want to be negotiating in a public meeting. He said negotiations have to be done by someone
84 with the authority to do so.

85
86 Seeley suggested taking it to the Board and deciding after that whether or not to reconvene a meeting.
87 It was decided DeGraff would make the presentations to the Infrastructure Committee on January 9th
88 and the Selectboard on January 14th.

89
90 George moved to adjourn and Rheume seconded the motion. The meeting adjourned at 10:38 a.m.

91
92 Respectfully submitted,
93 Beth Dow