



Town of Thetford

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**APPROVED: May 18, 2015**

**THETFORD SELECTBOARD INFORMATIONAL HEARING  
TRI-TOWN AGREEMENT/LAKE FAIRLEE DAM VOTE**

Monday, May 11, 2015 at 7:00pm.  
Thetford Town Offices

**Agenda**

7:00-8:30pm. Tri-Town Agreement/Lake Fairlee Dam Vote Informational Hearing  
8:30pm. Adjourn

Stuart Rogers called the informational hearing to order at 7:05pm.

Selectboard Members: John Bacon, James Dixon, Jessica Eaton, Jim Lanctot, and Stuart Rogers (Chair).

Selectboard Absent: None.

Community Attendees: Kathy Astrayckas, Tracy Borst (Town Clerk), Maggie Cassidy (*The Valley News* Reporter), John Chapin, Libby Chapin, Cathee Clement, Martha Daum, Donn Downey (Former Selectboard Member), Kimberly Edgar (Selectboard Administrative Assistant), Michael Evans (Police Chief), David Fisk, Brenda Frost, Ehrhard Frost, Connie Gephart, Charles Goldensher, Jill Graff (Town Treasurer), Bob Hagen, Edie Ham, Marvel Hauger, Arnold Hawk, Susan Hawk, Bob Higgins, Rielo Hoff, Casey Huling, Bill Huff, Laurie Ingalls, Mary Johnson, Rick Johnson, Cecy Lincoln, Ken McDaniels, Amy McElroy, Mark McElroy, Lynne Miller, Sandra Miller, Cathy Newbury, David Newbury, Wayne Parks, Anne Rose, June Run H Rose, Judy Sterndale, Alford Stone, Renee Snow, Gary Ulman, Joe Tofel, Tom Urgo, Gregory T. West, and plus others whom did not print their names on the meeting attendance sheets or their handwriting was illegible.

**Tri-Town Agreement/Lake Fairlee Dam Bond Vote Informational Hearing (7:05pm.)**

Donn Downey gave an historical overview on the Lake Fairlee Dam and the background on how the Tri-Town Agreement is being proposed between Thetford, Fairlee and West Fairlee. Lake Fairlee is a natural resource economic generator for the three towns. It provides a valuable source of revenue from property taxes, recreation, and supports local businesses. The properties surrounding Lake Fairlee are estimated to be worth \$65 million in assessed value and their annual property tax revenue is approximately \$1.5 million amongst the three towns.

If the dam breaks or goes away, the estimates are a 10% to 50% decrease in the value of the lake property, with reasonable estimates being 20% to 25%. The decrease will impact the amount of tax revenue generated to contribute to the three towns' grand lists.

The overall dam renovation project is projected not to exceed \$850,000. The Bond breakdown percentage amongst the three towns is 44% for Thetford (approximately \$374,000), 34% for Fairlee (\$289,000) and 22% (\$187,000) for West Fairlee. The percentages vary somewhat from year to year due to re-appraisals of properties. Using the example of a \$250,000 assessed value home, property taxes would increase approximately \$18 to \$20 per year over the next twenty years. If the dam goes away, the projection is a \$250,000 assessed value home property taxes would increase by \$90 to \$112 per year.

Currently, the dam privately belongs to the estate of the family who owns the house and surrounding property on top of the dam. The broken dam is estimated to be worth \$85,000. If the Tri-Town Agreement is approved by the voters, a Tri-Town Commission would be appointed amongst the towns' representatives. The towns would secure the rights to the dam and preventive maintenance of the dam.

The state has no interest in investing funds to repair the dam. The current practices of ANR would not allow a new dam to be built on the lake. If the current dam breaks before the three towns approve the Bond Vote, the construction permit will most likely be denied by ANR, due to the dam making the lake at an artificially held level.

Cathee Clement commented that the conversations should not be centered around the towns vs. dam's homeowner or the lake front residents vs. non-lake front residents but to take the necessary actions to repair the dam before it completely breaks. Repairing the dam protects the finances of the three towns. Overall, the \$850,000 repairs to the dam are being paid for by the three towns to maintain the lake's assets.

Paul Rump commented that the lakefront property owners have the most to lose if the dam breaks and they should have to pay the biggest amount for the repairs because they are the ones going to lose the most.

Casey Huling provided his history with attending Camp Billings as a child on a scholarship. As an adult, he has worked at Camp Billings. Camp Billings is a non-profit camp that continues to donate scholarships to local children.

Paul Rump commented that the agreement smells of a bail-out. It is the failure of due diligence by the people on the lake not taking care of the dam and he resents it.

Sandra Miller asked about the liability issues associated with moving the house back on the dam.

Lynne Miller questioned the other expenses associated with the dam being taken over by the three towns. A facility manager will be hired to inspect the dam's condition for approximately 4 to 8 hours per a year.

Another question regarding termination clauses in the agreement. The towns are obligated to remain in the agreement during the first 20 years to cover the Bond Payments. The agreement also allows for an easement to the dam and road access.

The Liability Insurance that the town pay has would reflect the additional coverage of the dam and Thetford would be responsible for 44% of the premium rates.

One individual spoke about the economic engines that the lake brings to Thetford.

One individual spoke about the limited access to the lake and the restrictions which exist, including needing to pay fees at Treasure Island to access the lake. Cathee Clement commented that she agrees that there is no free access; however, the town greatly subsidizes Treasure Island for residents to use the facilities.

Ehrhard Frost asked about the permitting for the dam through ANR (Agency of Natural Resources). The permit application has been submitted and the permit's approval is pending the results of the Bond Votes for all three towns.

Paul Rump commented that he has watched the lake become very restricted over the years. He used to be able to fish near Robinson Road and have access to swimming spots. Now all the locations are private property. Paul Rump believes that everyone has a right to access all shorelines and it is stated in the Vermont Constitution. The lake has 220 property owners and 90% of the shoreline is privately owned. The question asked is why shouldn't these people pay for the dam repairs vs. having all the taxpayers bail them out.

Donn Downey explained that the dam repairs protect the grand lists for all three towns. Taxpayers will pay \$18 more per year compared to \$90 to \$110 more per year if the dam fails. The dam has existed for 200 years. The costs to repair the dam are less than \$4,000 per landowners.

Rich Sattewaiter, Lake Fairlee Association Treasurer, spoke about the Milfoil Problem in Lake Fairlee over the last five years was discussed. Members of the Lake Fairlee Association have contributed over \$270,000 over the last five years towards the treatment program for Milfoil. The towns have contributed funding as well. In the past, the state has provided a matching grant program, however, that funding has ended. The treatments allow the lake to continue to be useable for everyone.

The current leaks in the dam are escalating especially due to this Spring's lack of rainfall. Over the last two weeks, the lake has dropped by approximately one foot.

Ehrhard Frost spoke about the big picture versus the grand list in regards to how the lake will continue even if the dam goes away. The lake will still be a big lake, but it will definitely change how it exists.

Bob Higgins commented that when the First Congregational Church of Thetford considered adding an addition to the church, it was a painful experience during the architect and engineering phases of the construction project. It became a generational thing and the way to explain the project to people was about discussing what they were going to pass on to the next generation. If the project did not go forward, it was a failure of that generation and the means to prevent the failure was to complete the project. As it relates to the dam project, we have got a lot to gain from repairing the dam and it is our obligation to do it for future generations. We need to repair the dam.

Gary Ulman asked if one town backs out and do the other two towns have to pick-up the monetary slack.

Stuart Rogers responded the all three towns need to pass the Bond Vote. However, the Bond Vote does not have a shelf life. If the Bond Vote fails in one town, the town can bring it before the voters again. The Tri-Town Agreement is an agreement with all three towns. Right now, everything is in place with the contractor to start the work this summer if the Bond Vote passes in all three towns. The contractor (Kingsbury Construction) could complete the repair project this summer.

A person asked what is the length of the dam? The dam is approximately 148 feet and 42 feet in length for a total of about 198 feet. The planned repaired dam will have a big value on it, the sole purpose of the value is for preventive maintenance purposes and it is not designed to control the water levels in the lake.

The \$850,000 Bond Price includes all the permitting and related construction costs, plus some contingency funding. Four attorneys have reviewed the legal documents.

Wayne Parks spoke about his opinion that the lake properties be placed in a special tax district so that they would pay a little more of the share of the repairs to the dam vs. making all the taxpayers pay for the dam repairs.

Donn Downey commented that the idea of a tax district for the lakefront property owners was discussed over the course of the last three years, as one of the alternatives to fund the repair project. The issue involved would be the establishment of an additional entity that had the power to levy property taxes, which creates another political wrinkle.

Wayne Parks asked about how much money did the camps and the Lake Fairlee Association put up for the architectural and engineering studies. The estimates were: Lake Fairlee Association \$7,000, Aloha Foundation \$8,000 with another \$20,000 in a non-interest loan, Lochearn \$7,000 with another \$7,000 in a non-interest loan, and Camp Billings \$5,000 with another \$7,000 in a non-interest loan. The total donated is \$27,000 with \$41,000 in loans.

The camps have over the years provided \$70,000 for treatment of milfoil just to keep ahead of it, along with supporting the Boat Greeter Program. Currently, the state estimates that the lakes have 41 invasive species in them.

Ehrhard Frost commented that the majority of the lakefront property owners are non-residents and they do not send their children to our schools. They also are not around here most months to do wear and tear on our roads.

Paul Rump commented that it is about growing the Grand List for the town.

**Adjournment at 8:28pm.**

Stuart Rogers thanked the attendees for coming to the hearing and adjourned the hearing at 8:28pm.

Respectfully submitted,  
Kimberly S. Edgar  
Selectboard Administrative Assistant