

Minutes of the Selectboard Special Meeting of  
Wednesday, May 20, 2020 at 6:30 pm

This meeting was conducted via teleconference using ZOOM, in order to maintain appropriate physical distance under COVID-19 precautions. Members present: Claudette Brochu, Chair; Roger Arnold, Vice Chair; Robert Gere; John Langhus; Mary Layton; Herb Durfee, Town Manager; Michael Tarrant, II, Esq.

Also participating: Cheryl Lindberg, Treasurer, Pam Smith, Lister.

1. **Approval of Agenda.** Upon calling the meeting to order at 6:30 pm, Brochu asked if there were any changes to the agenda. There were none.
2. **Public Comment.** Lindberg questioned new appointment of Jeff Swenson to the Finance Committee given that the committee charge does not allow membership including if a spouse is an employee of the Town. By consensus it was agreed that the charge of the committee and the number of vacancies on the committee would be an agenda item for the Board's May 27, 2020 meeting.
3. **Great River Hydro, LLC vs. Town of Norwich.** At 6:40 pm, Layton **moved** (2<sup>nd</sup> Gere) to make a finding that premature public knowledge of the Selectboard's position in re: Great River Hydro LLC vs. Town of Norwich (Docket No. 445-10-18 Wrev) would clearly place the Town at a significant disadvantage. There was no discussion. **Motion passed unanimously.** At 6:41 pm, Layton **moved** (2<sup>nd</sup> Gere) to enter Executive Session, pursuant to 1 VSA §§313(a)(1)(C) "...mediation"; (E) "...pending litigation"; and, (F) "*confidential attorney-client communications made for the purpose of providing professional legal services to the [Selectboard]*", and to include the Town Manager and Michael Tarrant, II, Esq. There was no discussion. **Motion passed unanimously.** At 7:36 pm, Layton **moved** (2<sup>nd</sup> Gere) to enter public session. No discussion. **Motion passed unanimously.** At 7:36 pm, Layton **moved** (2<sup>nd</sup> Gere) to authorize the Town Manager to serve as the Town's representative to the legal proceedings in re: Great River Hydro LLC vs. Town of Norwich (Docket No. 445-10-18 Wrev), including the mediation session on June 2, 2020 and related successor sessions, as may be scheduled. Such representation allows the Town Manager to negotiate and otherwise act on behalf of the Town up to the point where a "handshake" agreement may be mediated. Thereafter, the Selectboard's formal approval and signature is required on any mutually agreed upon terms. There was no discussion. **Motion passed unanimously.**
4. **Adjournment.** At 7:39 pm, Layton **moved** (2<sup>nd</sup> Langhus) to adjourn. **Motion passed unanimously.**

Meeting adjourned at 7:39 pm.

Respectfully submitted, Herbert A. Durfee, III

Approved by the Selectboard on May 27, 2020

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Claudette Brochu  
Selectboard Chair