

Town of Wheelock
PO Box 1328
1192 Route 122
Wheelock, VT 05851
wheelocktown@gmail.com 802-626-9094 phone 802-626-8894 fax
<https://townofwheelockvt.org/>

December 30, 2021

Julia L. Torti
Chief, Civil Division
Assistant US Attorney
District of Vermont
Julia.Torti@usdoj.gov

Dear Attorney Torti,

I am writing to you on behalf of the Wheelock Selectboard with a progress report according to Agreement 204-78-45 between the Town of Wheelock and the U.S. Dept. of Justice, Section 16.1.a), as described below:

1. In consideration of the Town's need to receive voter approval for large projects and spending, the Parties agree that the Town will take the following steps to secure approval for the necessary improvements:
 - a. By December 31, 2021, the Town Selectboard will create a proposal regarding Town Hall accessibility ("Town Hall Accessibility Proposal") and will share the same with the Department of Justice.

Two accessibility proposals are enclosed, and I will explain how we arrived at this point and our upcoming plans.

Town Hall Project Accessibility Committee

In Dec. 2020 the town was awarded a Municipal Planning Grant (MPG) from the State of Vermont in the amount of \$20,633, as well as three smaller grants covering matching funds. In Jan. 2021 the Selectboard appointed 5 citizens to serve on the Town Hall Accessibility Project Committee (THAPC) chaired by myself, currently the Selectboard chair. The committee met at least monthly, using the same transparency standards required of the Selectboard. In a competitive bid process in January we hired a consultant team to provide community outreach and architectural services. We emphasized strong community outreach to inform voters of the situation's urgency and to involve them in creating the best solution to the accessibility issues.

Our end goal is voter support for the project, and in particular, creating construction drawings by August 31, 2022, passing a bond vote by December 5, 2022 so construction may begin by July 31, 2023.

Community Engagement

Early in 2021 we created a website <http://placesense.com/wheelock/> with a document archive of all plans and activities regarding ADA improvements generated over the past 28 years. The D.O.J. agreement is included. We created 3 mailers sent to all 315 households, gleaned from lists of voters and property owners. The [March 2021 mailer](#) introduced the project, the second in May was a cover letter with a survey that could be filled in on-line or in print for drop off at the Village Store or Town Hall. The survey asked respondents to select among four options “Make it Work,” “Make it Better,” “New Buildings,” and “New Location.” 80 responses came back (more than 10% of population) and “Make it Work” and “Make it Better,” tied for first. Comments indicate that impact on taxes was extremely important. The [compiled survey report](#) with all comments was uploaded to the website.

THPAC drew on Wheelock Community Initiative (WCI) to help promote the project. WCI produces a monthly, two-page newsletter “The Miller’s Run” hosted on the [WCI website](#), distributed in waterproof boxes at Town Hall, the Village Store and the transfer station, emailed to a list of 100 contacts, and posted on Front Porch Forum and Facebook. Every issue features a project update. A sample is enclosed. A press release about the project was printed in the Caledonian-Record in April 2021.

Two Concept Proposals

After researching all prior efforts from the document archive, as well as the 2020 work of the Wheelock Facilities Committee, the architect team developed concept designs meeting ADA needs for the two options most favored in the survey, “Make it Work” and “Make it Better.” The purpose of developing two designs was to offer voters a choice and to consider the town’s 21st Century needs. The number of Town Meeting participants often exceeds the occupancy code ratings for the building. Each concept set includes landscape plans, floor plans, elevations, and several views.

Community Meeting – September 27, 2021

The [third mailer](#) was an invitation to attend a community meeting with the consultants on Sept. 27. at 6pm. WTHAC went to great lengths with Covid precautions as the current Town Hall is not large enough for social distancing. The Sheffield-Wheelock Volunteer Fire Dept. erected a tent right beside Town Hall that we borrowed from the Sheffield Field Days organization. We provided an accessible porta-potty. Prior to the meeting we engaged our public access station, KATV, to make a video of a walk-through of the existing town hall to explain its ADA deficiencies, and posted it at <http://placesense.com/wheelock/>. We engaged a meeting facilitator from Vt. Council on Rural Development. Over 22 people attended. Discussion began with a project summary highlighting the community driven input from the survey. The architect

team presented the two concept designs and a preliminary budget summary for each, separating out the minimum costs to meet the ADA requirements from other concerns like deferred maintenance, “nice to have” elements, and enlarging the building to accommodate a greater number of people in the meeting space. There was time for Q & A. KATV videotaped the meeting and it is posted at <http://placesense.com/wheelock/>. After the event we provided a two-week comment period via the project website and comment boxes placed inside at Town office and the Village Store. Comments are enclosed. We ran out of funds before the architect team could incorporate the comments into the design concepts. The more expensive option 2 is preferred by more of the people who provided input, but those individuals are likely not in the majority of voters.

Selectboard Responsibility as of December 31, 2021

With this report, the Selectboard has fulfilled its obligation to the D.O.J. by creating and providing two proposals. At our December 2021 meeting the Selectboard decided to put the choice to the voters at Town Meeting 2022.

Town Meeting 2022 – plans still to be finalized

Plans for Town Meeting are still being worked out. Our meeting area is too small for social distancing, and the Covid Omicron variant is raging. The board has considered holding it at Miller’s Run School, Wheelock’s union preK-8 school shared with the town of Sheffield, and which is located there. According to statute voting must take place within a town’s boundaries. Our attorney advised us that good, practical thinking is sometimes required, rather than strict compliance with the law. He felt this was a reasonable choice if we could ensure that transportation would be available from Wheelock Town Hall to the school so no citizen would be deprived of their right to vote. There are no other locations in Wheelock to hold a public meeting. Australian Ballot voting would need to take place at Wheelock Town Hall anyway for the school budget and solid waste district. There is no local taxi service.

On January 4th, 2022, the Vermont legislature will take up the issue of Town Meeting, and it is likely they will do what they did last year, which was to authorize Selectboards that normally hold in-person, floor meetings that they may hold Town Meeting using Australian Ballot. Town Meeting via Zoom is not an option. All votes by Australian Ballot must be YES/NO. We plan to put two articles on the 2022 Town Meeting Warning, one to support Option 1, and one to support Option 2. We hope that at least one article gets sufficient YES votes for us to proceed.

The Selectboard has postponed its scheduled January 2022 meeting until after the Legislature makes its decision. On January 18 we will decide whether we will meet in person at the school, if possible, conduct Town Meeting by Australian Ballot with the required public information meeting beforehand, or postpone until the meeting can be safely held in person, outside beside Town Hall. If we choose the Australian Ballot route, we will likely do what we did in 2020, and engage KATV to videotape the information meeting that is required by statute. The information meeting may be held via Zoom.

Next Steps – Preparing for Town Meeting

Community members have consistently told us that impact on taxes is the biggest factor in their support. THAPC is preparing information to help people understand the impact on taxes for a variety of scenarios. The matrix will include a breakdown of the estimated costs in both concept proposals, and the impact on different levels of property values for different amounts of a 30-year municipal bond. Information about the D.O.J. requirements, our commitment to seeking grant funds to try to reduce borrowing, and next steps in incorporating comments into the architectural concepts will also be included.

At this point, THAPC is considering mailing this information to our 315 households. A preliminary draft is enclosed. Plans will be finalized after the Selectboard decides on the type of Town Meeting. It is unlikely that the Secretary of State's office will provide funds to mail the Town Meeting warning. Wheelock does not mail its town meeting warnings or year-end reports.

We will report back to you prior to March 31, 2022 and we hope to be able to tell you that the voters have chosen an accessibility proposal.

Next Steps – Raise More Funds

For several years, even before signing the Settlement Agreement, the Town has been setting funds aside in the Town Hall reserve fund to be used for major repair and rehabilitation work on the Wheelock Town Hall. The current balance is \$46,011. An article to add an additional \$46,000 will be on the 2022 warning. We also plan to add another reserve fund article for \$30,000 for construction documents for the Town Hall accessibility project. We plan to use this to leverage additional funds for the construction documents.

We have worked hard to raise grant funds. So far, we have written applications and managed projects as volunteers working with the town treasurer. \$1,700 is still in hand. In late fall 2021 a second MPG proposal of \$14,500 and two other proposals totaling \$6,000 were not funded.

At this point the funding we need has a lot of red tape and exceeds the town's limited capacity. We will have to pay for professional grant writing assistance and grant administration. We have been accepted by the Rural Economic Development Initiative fund <https://vhcb.org/redi> at Vermont Housing and Conservation Board for help developing a fundraising plan for the bid documents and construction costs. This "award" is valued at approximately \$15,000 although no cash comes to Wheelock. Our project has been assigned to [Northern Counties Investment Corp](#) (NCIC) in St. Johnsbury. Work will begin in early January 2022 on a [VCDP Accessibility Modification](#) grant proposal. Planning grants up to \$60,000 are offered, and the next deadline is in April 2022. There is also an implementation grant program offering up to \$100,000, with the first deadline in November 2022 and then again in the spring.

With NCIC we will explore all available grant opportunities. Most funders for large capital projects require that the architectural planning and construction estimates have already been completed, and that there is a commitment from the Town. It is a puzzle as each funder has different rules and deadlines for what they fund. Our list includes:

Town Hall Reserve Funds - TBD

Municipal Bond Bank - Amount TBD

Preservation Trust of VT (\$500,000)

Vermont Division for Historic Preservation (\$20,000)

Cultural Facilities (\$15,000)

Northern Borders Regional Commission

USDA Rural Development (\$50,000)

Vermont Community Foundation Northeast Kingdom Fund (\$10,000)

Everything we can raise will be used as matching funds to leverage other support. Our goal is to meet the terms of the Settlement Agreement and complete the construction drawings by Aug. 31, 2022, and pass the bond vote by Dec. 5, 2022 so construction can begin by 7/31/2023.

ARPA

Wheelock's ARPA (American Rescue Plan Act) allocation is \$246,912.91. Early in the new year the Selectboard plans to create an ARPA committee to explore all possibilities for using this money. We are attending webinars offered by Vermont League of Cities and Towns and our regional planning commission to learn as much as we can. The Town Hall project is an eligible use of ARPA funds but it remains to be seen what components can be covered.

In summary, the Wheelock Selectboard and Project Committee members are doing their best to meet the terms outlined in the Settlement Agreement and to make our Town Hall accessible to all and fully code compliant. This is a heavy lift for a small rural town with a limited tax base. We appreciate your patience and understanding.

With greetings for a safe and happy New Year,

Sincerely,



Ann Lawless

Chair, Wheelock Selectboard

alawless@vtlink.net

Encl:

Architectural concept designs, 1 and 2
Comments, as submitted and as summarized

The Miller's Run newsletter
Draft Town Meeting 2022 mailer