



STATE OF VERMONT
JOINT FISCAL OFFICE

MEMORANDUM

To: Joint Fiscal Committee Members
From: Nathan Lavery, Fiscal Analyst
Date: February 4, 2014
Subject: Grant/Position Requests

Enclosed please find four (4) items that the Joint Fiscal Office has received from the administration. Eight (8) limited service positions are associated with these items.

JFO #2664 – \$7,521,488 grant from the U.S. Department of Labor to the Vermont Department of Labor. These funds will be used to develop a new unemployment insurance IT system and enhance efforts to prevent and detect improper unemployment insurance payments. This project is a collaboration with Maryland and West Virginia. The grant amount represents Vermont's share of the total \$82.8 million grant for the project. **Eight (8) limited service positions** are associated with this request.
[JFO received 01/27/14]

JFO #2665 – \$26,360 grant from the Vermont Community Foundation to the Vermont Agency of Agriculture, Food and Markets. These funds will support work on a five-year Farm-to-School strategic and action plan. Funds will also be used to conduct a survey intended to enhance the understanding of producer needs and capabilities related to participation in Farm-to-School and Farm-to Institution programs.
[JFO received 02/03/14]

JFO #2666 – \$180,530 donation from the estate of George Cunavelis to the Vermont Veterans Memorial Cemetery. These funds will be used to support programs and infrastructure enhancements at the cemetery in Randolph, Vermont.
[JFO received 02/03/14]

JFO #2667 – Acquire 36 acres from Dale Merrett in exchange for 28 acres owned by the Department of Fish & Wildlife (DFW). This item is a property exchange between the state and Mr. Merrett. It has been submitted for JFO approval under the assumption that receiving the 36 acres from Mr. Merrett constitutes acceptance of a "thing of value" under 32 V.S.A. § 5, despite the fact that the State's net gain (excluding ecological value) from the exchange is expected to be minimal.
[JFO received 02/03/14]

Please review the enclosed materials and notify the Joint Fiscal Office (Nathan Lavery at (802) 828-1488; nlavery@leg.state.vt.us) if you have questions or would like an item held for legislative review. Unless we hear from you to the contrary by **February 18** we will assume that you agree to consider as final the Governor's acceptance of these requests.



State of Vermont
 Department of Finance & Management
 109 State Street, Pavilion Building
 Montpelier, VT 05620-0401

[phone] 802-828-2376
 [fax] 802-828-2428

Agency of Administration

JFO 2667

**STATE OF VERMONT
 FINANCE & MANAGEMENT GRANT REVIEW FORM**

Grant Summary:		Exchange of 28 acres owned by the Dept. of Fish and Wildlife for 36 acres owned by Dale Merrett of Vernon, VT, allowing better access to the Roaring Brook Wildlife Management Area in Vernon and to clean up boundary issues.			
Date:		1/24/2013			
Department:		ANR- Fish & Wildlife			
Legal Title of Grant:		Merrett land exchange			
Federal Catalog #:		N/A			
Grant/Donor Name and Address:		Dale Merrett, Vernon, VT			
Grant Period:		From:	To:		
Grant/Donation		Minimal. This is an exchange of property with similar values. The attached memo from Jane Lazorchak details the reasons an exact value was not obtained.			
Grant Amount:	SFY 1	SFY 2	SFY 3	Total	Comments
\$	\$	\$	\$	\$	
Position Information:		# Positions	Explanation/Comments		
		0			
Additional Comments:					

1/24/14

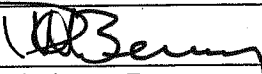
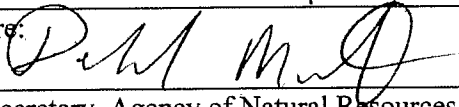
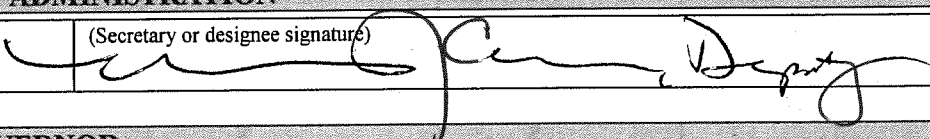
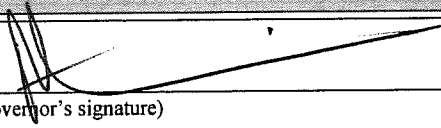
Department of Finance & Management	<i>[Signature]</i>	(Initial)
Secretary of Administration	<i>[Signature]</i>	(Initial)
Sent To Joint Fiscal Office	<i>[Signature]</i>	Date

RECEIVED
 FEB 03 2014
JOINT FISCAL OFFICE



STATE OF VERMONT REQUEST FOR GRANT (*) ACCEPTANCE (Form AA-1)

BASIC GRANT INFORMATION				
1. Agency:	Agency of Natural Resources			
2. Department:	Fish and Wildlife			
3. Program:	Lands and Habitat Program			
4. Legal Title of Grant:				
5. Federal Catalog #:				
6. Grant/Donor Name and Address:				
Dale Merrett P.O. Box 327 Vernon, VT 05354-9801				
7. Grant Period:	From:		To:	
8. Purpose of Grant:				
The purpose of this grant is for the Department of Fish and Wildlife to accept 36 acres from Dale Merrett in exchange for 28 acres of Department land. The proposal is to transfer two small isolated Department parcels for one larger single parcel that is contiguous to Roaring Brook WMA and provides management access. The land exchange is equitable and any benefit to either party involved would be negligible.				
9. Impact on existing program if grant is not Accepted:				
The two parcels currently owned by the Department provides no legal access and has no significant ecological or wildlife features. The Dale Merrett parcel will provide legal access to Roaring Brook WMA and includes an active deer wintering area and potential for bobcat den sites and Eastern Racer hibernacula. If this grant is not accepted the Department will lose an opportunity to obtain high quality habitat and wildlife features.				
10. BUDGET INFORMATION				
	SFY 1	SFY 2	SFY 3	Comments
Expenditures:	FY 2014	FY	FY	
Personal Services	\$2,000	\$	\$	
Operating Expenses	\$	\$	\$	
Grants	\$	\$	\$	
Total	\$2,000	\$	\$	
Revenues:				
State Funds:				
Cash	\$	\$	\$	
In-Kind	\$	\$	\$	
Federal Funds:				
(Direct Costs)	\$2,000	\$	\$	
(Statewide Indirect)	\$	\$	\$	
(Departmental Indirect)	\$	\$	\$	
Other Funds:				
Grant (source)	\$	\$	\$	
Total	\$2,000	\$	\$	
Appropriation No:		Amount:	\$	

		Total \$
PERSONAL SERVICE INFORMATION		
11. Will monies from this grant be used to fund one or more Personal Service Contracts? <input type="checkbox"/> Yes <input type="checkbox"/> No If "Yes", appointing authority must initial here to indicate intent to follow current competitive bidding process/policy. Appointing Authority Name: _____ Agreed by: _____ (initial)		
12. Limited Service Position Information:	# Positions	Title
Total Positions		
12a. Equipment and space for these positions:		<input type="checkbox"/> Is presently available. <input type="checkbox"/> Can be obtained with available funds.
13. AUTHORIZATION AGENCY/DEPARTMENT		
I/we certify that no funds beyond basic application preparation and filing costs have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant, unless previous notification was made on Form AA-1PN (if applicable):	Signature: 	Date: 12/2/13
	Title: Commissioner, Department of Fish and Wildlife	
	Signature: 	Date: 12-3-13
	Title: Secretary, Agency of Natural Resources	
14. SECRETARY OF ADMINISTRATION		
<input checked="" type="checkbox"/> Approved:	(Secretary or designee signature) 	Date: 1/27/14
15. ACTION BY GOVERNOR		
<input checked="" type="checkbox"/> Accepted	(Governor's signature) 	Date: 1/28/14
<input type="checkbox"/> Rejected		
16. DOCUMENTATION REQUIRED		
Required GRANT Documentation		
<input type="checkbox"/> Request Memo <input type="checkbox"/> Dept. project approval (if applicable) <input type="checkbox"/> Notice of Award <input type="checkbox"/> Grant Agreement <input type="checkbox"/> Grant Budget	<input type="checkbox"/> Notice of Donation (if any) <input type="checkbox"/> Grant (Project) Timeline (if applicable) <input type="checkbox"/> Request for Extension (if applicable) <input type="checkbox"/> Form AA-1PN attached (if applicable)	
End Form AA-1		

Department of Fish and Wildlife
5 Perry Street, Suite 40
Barre, VT 05641
www.vtfishandwildlife.com

[phone] 802-276-0061
[fax] 802-479-4405

Agency of Natural Resources

TO: Joint Fiscal Committee

THROUGH: Steve Gomez, Business Manager

FROM: Jane Lazorchak, Land Acquisition Coordinator

SUBJECT: Department of Fish and Wildlife, Land Swap, VFWD to Merrett Property, Vernon, VT

This memo is intended to summarize why the Department of Fish and Wildlife (DFW) did not pursue an appraisal related to this land swap for either parcel. The proposal is to transfer two small isolated DFW parcels totaling 28 acres for one larger 36-acre parcel of Dale Merrett's contiguous to Roaring Brook Wildlife Management Area (WMA) and management access for the DFW on the so-called West Road, which was never an established town road and to which the interior parcels have no legal access rights as determined by the courts several years ago.

The acreages owned by both parties involved in the exchange are part of larger land holdings and therefore the tax assessments are not applicable. In addition, it would be hard to extrapolate from the tax assessments the value pertaining to these holdings as they are not particularly valuable to the current owners of each because neither owner has good access. The Merrett land holdings also include a house and barn making the tax assessment unsuitable to use for back land. Both holdings are more valuable to the entity they are being transferred to. As the acreages are very similar and provide similar benefits to the new owner, cleaner boundaries and better access, the DFW did not pursue an appraisal of either parcel as they would've cost thousands of dollars. In addition, we feel that the exchange is equitable and any benefit to either party involved would be negligible.

If members of the Joint Fiscal Committee have more questions pertaining to this issue, please feel free to direct them directly to me at Jane.Lazorchak@state.vt.us or 479-4405.

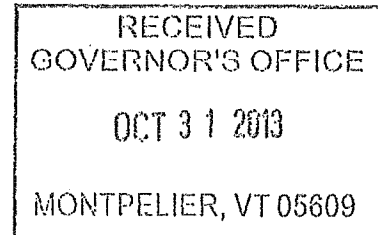


Fish and Wildlife Department
Barre District Natural Resources Office
5 Perry Street, Suite 40
Barre, VT 05641
www.vtfishandwildlife.com

[phone] 802-479-4405
[fax] 802-476-0129

Agency of Natural Resources

MEMORANDUM



To: Sarah London, Governor's Legal Counsel
From: Jane Lazorchak, Land Acquisition Coordinator
Date: October 17, 2013
RE: Governor's Approval Needed for a Land Swap in Vernon, VT.

Enclosed is an approval to be signed by Governor Shumlin for the exchange of land between the Vermont Fish and Wildlife Department (VFWD) and Dale Merrett at Roaring Brook Wildlife Management Area (WMA) in Vernon, VT. The land swap of 28 acres from the VFWD to Merrett in exchange for 36 acres from Merrett to VFWD will provide access to the WMA for management purposes and clean up the boundaries of both parties. The additional state land will also provide permanent protection of public access for hunting, trapping, fishing and wildlife viewing, and the conservation of significant wildlife habitat. The total budget for the project is \$2,000 which reflects the closing costs. Dale Merrett is volunteering his services as a surveyor to survey the property coming to the VFWD. Funding for the closing costs will come from Pittman-Robertson funds (federal funds).

Included with the Governor's approval memo are a map of the property, a copy of the review and approval by the Agency Land Acquisition Review Committee and Secretary, and a copy of the letter signed by the Vernon Select Board stating town support for the state acquisition of this parcel.

If you have any questions regarding this easement project, please contact me directly at 479-4405 or at jane.lazorchak@state.vt.us, thank you.

cc: Patrick Berry, Commissioner
John M. Austin, Lands and Habitat Program Director



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ROARING BROOK WMA
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Legend

- RBWMA Boundary
- Dale Merritt Boundary
- Transfer to Merritt ~28 Acres
- Transfer to State ~36 Acres
- Josh Merritt Boundary
- AD Brooks Road
- Town Road
- RBWMA Public Access
- Discontinued West Road
- Proposed RBWMA Management Access

Newfane
 Dummerston
 Brattleboro
 Guilford
 Vermont

495500

496000

498500

497000

Department of Fish and Wildlife
Commissioner's Office
103 South Main Street
10 South
Waterbury, VT 05671-0501
802-241-3730

TO: Peter Shumlin, Governor

THROUGH: Deb Markowitz, Secretary, Agency of Natural Resources *DM*

FROM: Patrick H. Berry, Commissioner, Department of Fish and Wildlife *Berry*

SUBJECT: Department of Fish and Wildlife, Land Swap, VFWD to Merrett Property, Whiting, VT

Recommendation That you approve the exchange of 28 acres from the VFWD to Dale Merrett in exchange for 36 acres from Dale Merrett to the VFWD to be added to Roaring Brook Wildlife Management Area (WMA) which will secure management access to Roaring Brook WMA and clean up both parties boundaries.

Description of Project

The proposal is to transfer two small isolated Vermont Fish & Wildlife Department (VFWD) parcels for one larger single parcel of Dale Merritt's contiguous to Roaring Brook WMA and management access for the VFWD on the so-called West Road, which was never an established town road and to which the interior parcels have no legal access rights as determined by the courts several years ago. There would be no exchange of money between the two parties and all parcels would be transferred with unrestricted deeds. Attached is a map (Exhibit 1) that outlines the proposed exchange. The project as proposed is organized in the following manner:

The VFWD is proposing to transfer two parcels of approximately 14 acres each with no deed restrictions to Dale Merrett. The western parcel borders the discontinued West Road and legal access is unclear. The eastern parcel has no legal access. There are no significant ecological or wildlife features that have been found on either parcel by the VFWD staff ecologist and biologist. Both parcels have sections of unclear boundary lines. There may be an encroachment by a neighbor on the eastern side of the eastern parcel. There are discrepancies in the deed description of the boundaries and acreage of both parcels that have never been satisfactorily addressed.

In exchange for the two small parcels, Dale Merrett will give the VFWD one ~36 acre parcel with no deed restrictions. The parcel is adjacent and contiguous to Roaring Brook WMA. The parcel has excellent access to support long term management of the parcel and includes an active deer wintering area. There is a significant ledge area with potential for bobcat den sites and Eastern Racer snake hibernacula. The VFWD would also receive a deeded management right-of-way along the discontinued West Road from

Meadowmere Farm parking area (where the town road portion of West Road ends) to the WMA boundary, a distance of approximately 2,500 feet. This right-of-way would allow State employees and private contractors working for the state access to the property for management and monitoring purposes. The public's access would continue to be via AD Brooks Road and Vernon Town Forest (on foot). Those two access points offer management access to only small fraction of the 1400+ acre WMA. Dale Merritt is a licensed Vermont surveyor and has agreed to provide whatever services are required within that capacity to assist this transfer at no cost to the state.

This exchange would consolidate State lands in that section of Roaring WMA simplifying management and eliminating the future risk of fragmentation of the WMA. The exchange would also consolidate the Merritt parcel eliminating the need for temporary right-of-way agreements to access inholdings for both parties. It will provide legal management access to ~1,000 acres of State lands and conserve a deer wintering area and other potentially significant wildlife habitats. It could also eliminate a costly and time consuming boundary survey and a potential trespass resolution. Lastly, it will add approximately 8 acres to the WMA.

Need and Cost

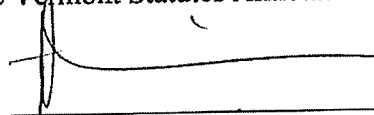
The VFWD is acquiring this parcel to provide permanent protection of public access for hunting, trapping, fishing, wildlife viewing, other wildlife dependent activities and conservation of significant wildlife habitat. The estimate set for the total project costs are roughly \$2,000 which reflects the closing costs. There will be no money exchanged when the land is exchanged between the VFWD and the landowner, Dale Merrett. Funding for the closing costs will come from Pittman-Robertson funds (federal funds).

Your approval of this acquisition is required by 10 V.S.A. §4144, which states in part "the secretary, with approval of the governor, may exchange, sell or lease lands under the secretary's jurisdiction when, in his or her judgment, it is advantageous to the state to do so ..." This project has already been reviewed and approved by the Agency's Land Acquisition Review Committee at their meeting in June 7, 2013 (See Exhibit 2). In addition, the town of Vernon supports this acquisition as documented in the letter from the Select Board dated September 6, 2013 (Exhibit 3).

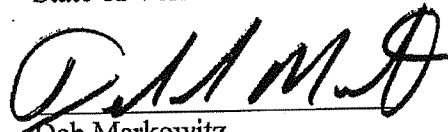
APPROVAL FOR PURCHASE OF LAND

We the undersigned, hereby approve the exchange of land by the Agency of Natural Resources, Department of Fish and Wildlife and Dale Merrett to protect management access and the natural resources on the 36 acres coming to the VFWD in Vernon, VT. This approval is required by 10 V.S.A. §4144 of the Vermont Statutes Annotated.

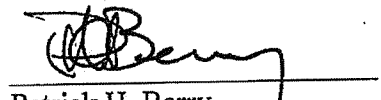
11-5-13
Date


Peter Shumlin
Governor
State of Vermont

Date


Deb Markowitz
Secretary
Agency of Natural Resources

Date


Patrick H. Berry
Commissioner
Fish and Wildlife Department



VERNON, VERMONT

SEP 17 2013

September 6, 2013

Aaron Hurst
Department of Forest, Parks and Recreation
State Lands Forester
100 Mineral Street, Suite 304
Springfield, VT 05155

Dear Aaron,

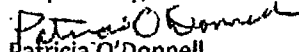
After reading your letter that summarized the Fish and wildlife Department's (FWD) involvement and discussing the project further at our Selectboard meeting on September 3, 2013, we are writing to offer our full support for the FWD's involvement in the land swap with Dale Merritt at Roaring Brook Wildlife Management Area (WMA) in the town of Vernon. More specifically, the Selectboard supports the FWD exchanging parcels with Dale Merritt to gain better access to the WMA and to clean up the boundary lines of both ownerships.

We appreciate Aaron's time in meeting with us last night and providing us with the information that was necessary to reach this decision. For your records, the motion read as follows:

Sandra Harris made a motion to approve the transfer of land between the Fish and Wildlife Department and Dale & Josh Merritt. Motion seconded by Christiane Howe. Motion carried 4-0. Jeffrey Dunklee was not present at the time of the vote.

Christiane Howe made a motion to authorize Chair Patricia O'Donnell to sign the letter after it has been printed on Town letterhead. Motion seconded by Sandra Harris. Motion carried 4-0. Jeffrey Dunklee was not present at the time of the vote.

Respectfully,


Patricia O'Donnell,
Selectboard Chair

PD/cll

Chartered 1753