



STATE OF VERMONT
WATER RESOURCES BOARD
MONTPELIER, & MONT 05602
(802) 828-2871

Minutes of Meeting
December 6, 1990

At approximately 9:00 a.m., The Vermont Water Resources Board met at Montpelier City Hall, Memorial Room, Montpelier, Vermont, for a regular Board meeting.

Board Members **Present:**

David M. Wilson, Chair
Sheldon M. Novick
David L. Deen
Mark DesMueles
Elaine B. Little

Also Present:

Maureen T. Holland, Legal Counsel and Interim Executive Officer
Sheila Stahley, Assistant Executive Officer

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1. On motion by Elaine Little, seconded by David Deen, the Board voted unanimously to approve the minutes of the November 1, 1990 meeting.
 2. The staff updated the Board on recently attended conferences including the Lake Champlain Committee Phosphorus Conference and the Vermont Law School Public Trust Doctrine Conference.
 3. On motion by David Deen, seconded by Sheldon Novick, the Board voted unanimously to go into executive session to consider pending contested cases. On motion by Sheldon Novick, seconded by David Deen, the Board voted unanimously to go out of executive session. The Board instructed the Staff to schedule a hearing for the Munson Earth Moving appeal on one of the issues raised in the case.
 4. An evidentiary hearing was conducted for the LaBrie, Inc. appeal. The Board directed the parties in this case to submit legal briefs on or before December 20, 1990 to the Board's office. The Board also instructed the attorney to the State to provide information on previous applications of the policy implementing 10 V.S.A. §1941 and 10 V.S.A. §1926 by the State.
 5. The Staff provided a status report on the budget as it relates to the recent inquiries from the current administration and from the transition team. The Board instructed the staff to prepare materials for presentation to LCAR, and to determine the person-
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hours allocated for rulemaking responsibilities.

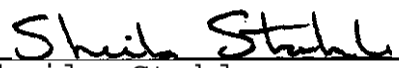
6 The Board reviewed the draft of the Water Quality Standards based on the November 1, 1990 meeting. On motion by David Wilson, seconded by David Deen, the Board voted unanimously to approve the revisions to the Water Quality Standards to date, including minor changes made during this meeting, and instructed the staff to revise the Draft Responsiveness Summary to incorporate a description of the Purpose and Implementation as described in the Preamble.

7. The Board instructed the Staff to reschedule the January 10, 1991 Board meeting to January 8, 1991 due to conflicts with the Inauguration of the Governor.

8. On motion by Sheldon Novick, seconded by David Deen, the Board voted to issue an Order of Dismissal for the Wesco case, as requested by the Appellant.

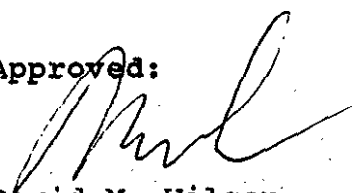
9. On motion by David Deen, seconded by Mark DesMueles, the Board voted to continue the Marble Mill Dam case until January 7, 1991. The Board instructed the Staff to inform the parties that if the case is not settled prior to the January 8, 1991 meeting, the Board will address the scheduling of a hearing for this case at that meeting.

10. On motion by David Deen, seconded by Elaine Little, the Board voted unanimously to adjourn.



Sheila Stahley
Assistant Executive Officer
January 3, 1991

Approved:


David M. Wilson
Chairman
January 8, 1991



STATE OF VERMONT
WATER RESOURCES BOARD
MONTPELIER, VERMONT 05602
(802) 828-2871

DATE: November 9, 1990

TO: **All Parties**

FROM: **Sheila Stahley, Assistant Executive Officer** *SS*

RR: **Appeals of Roland J. Miller and Wesco, Inc.**

The Water Resources Board received a letter of withdrawal on October 4, 1990, for the appeals of Roland J. Miller and Wesco, Inc. (copy enclosed). Written objections to the dismissal of these cases should be received in the Water Resources Board office no later than November 19, 1990.

kgr

Enclosure

William E. Simendinger

ATTORNEY AT LAW

25 N. Prospect St., Burlington, VT 05402-1485

802-658-9999

Fax 802-864-6234

October 2, 1990

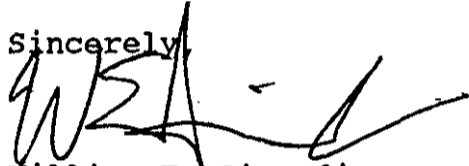
William A. Bartlett
Executive Officer
Water Resource Board
State Office Building
Montpelier, Vermont 05602

RE: Miller's Gulf

Dear Mr. Bartlett:

We hereby withdraw all of our appeals in the above case.

Sincerely,



William E. Simendinger, Esq.

WES/bjc

cc: Ann Whiteley, Esq.
Joseph Cahill, Esq.

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