

District 3
Certcode 1109-0

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2018**

Fill out form, make and file copy with the Town Clerk, and mail ORIGINAL, before February 20, 2018 to:
Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section
One National Life Drive, Montpelier, VT 05633.

We, the members of the legislative body of IRA in RUTLAND County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000			"	0.000
Class 2	0.000			"	0.000
Class 3	7.44		0.04	7.40	0.000
State Highway	7.249			"	0.000
Total	14.689			14.649	0.000
* Class 1 Lane	0.000			"	
* Class 4	3.62		0.04	3.66	0.000
* Legal Trail	0.00			"	

* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".
2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).
3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).
Effective 5/1/17 - 237' of Kahle Rd (#13), was reclassified to Class 4. The first 190' will remain Class 3.
4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Check box and sign below. []

PART III - SIGNATURES - PLEASE SIGN.

Selectmen/ Aldermen/ Trustees Signatures:

[Handwritten signatures]

T/C/V Clerk Signature:

Karen Dan

Date Filed:

1/30/18

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

[Signature]
Representative, Agency of Transportation

DATE:

4/10/2018

Vermont Statutes Annotated

19 V.S.A. § 305. Measurement and inspection

Received

FEB 05 2018

Policy, Planning & Intermodal
Development Division

§ 305. Measurement and inspection

(a) After reasonable notice to the selectboard, a representative of the agency may measure and inspect the class 1, 2, and 3 town highways in each town to verify the accuracy of the records on file with the agency. Upon request, the selectboard or their designee shall be permitted to accompany the representative of the agency during the measurement and inspection. The agency shall notify the town when any highway, or portion of a highway, does not meet the standards for its assigned class. If the town fails, within one year, to restore the highway or portion of the highway to the accepted standard, or to reclassify, or to discontinue, or develop an acceptable schedule for restoring to the accepted standards, the agency for purposes of apportionment under section 306 of this title shall deduct the affected mileage from that assigned to the town for the particular class of the road in question.

(b) Annually, on or before February 10, the selectboard shall file with the town clerk a sworn statement of the description and measurements of all class 1, 2, 3, and 4 town highways and trails then in existence, including any special designation such as a throughway or scenic highway. When class 1, 2, 3, or 4 town highways, trails, or unidentified corridors are accepted, discontinued, or reclassified, a copy of the proceedings shall be filed in the town clerk's office and a copy shall be forwarded to the agency.

(c) All class 1, 2, 3, and 4 town highways and trails shall appear on the town highway maps by July 1, 2015.

(d) At least 45 days prior to first including a town highway or trail that is not clearly observable by physical evidence of its use as a highway or trail and that is legally established prior to February 10, 2006 in the sworn statement required under subsection (b) of this section, the legislative body of the municipality shall provide written notice and an opportunity to be heard at a duly warned meeting of the legislative body to persons owning lands through which a highway or trail passes or abuts.

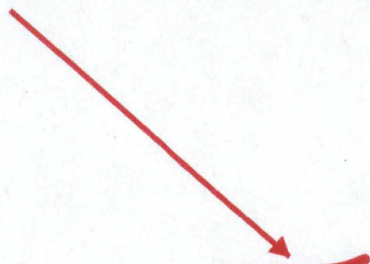
(e) The agency shall not accept any change in mileage until the records required to be filed in the town clerk's office by this section are received by the agency. A request by a municipality to the agency for a change in mileage shall include a description of the affected highway or trail, a copy of any surveys of the affected highway or trail, minutes of meetings at which the legislative body took action with respect to the changes, and a current town highway map with the requested deletions and additions sketched on it. A survey shall not be required for class 4 town highways that are legally established prior to February 10, 2006. All records filed with the agency are subject to verification in accordance with subsection (a) of this section.

(f) The selectboard of any town who are aggrieved by a finding of the agency concerning the measurement, description, or classification of a town highway may appeal to the transportation board by filing a notice of appeal with the executive secretary of the transportation board.

(g) The agency shall provide each town with a map of all of the highways in that town together with the mileage of each class 1, 2, 3, and 4 highway, as well as each trail, and such other information as the agency deems appropriate.

Excerpt of 19 V.S.A. § 305 - *Measurement and inspection* from Vermont Statutes Online located at --
<https://legislature.vermont.gov/statutes/section/19/003/00305>

0.04mi TH-13 (Kahle Rd)
reclassified by Town from CL3 to CL4



TH-13

VT-133 - ROUTE 133

VT-133 - VT ROUTE 133

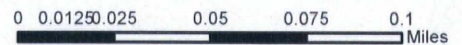
Mileage Certificate Change 2018

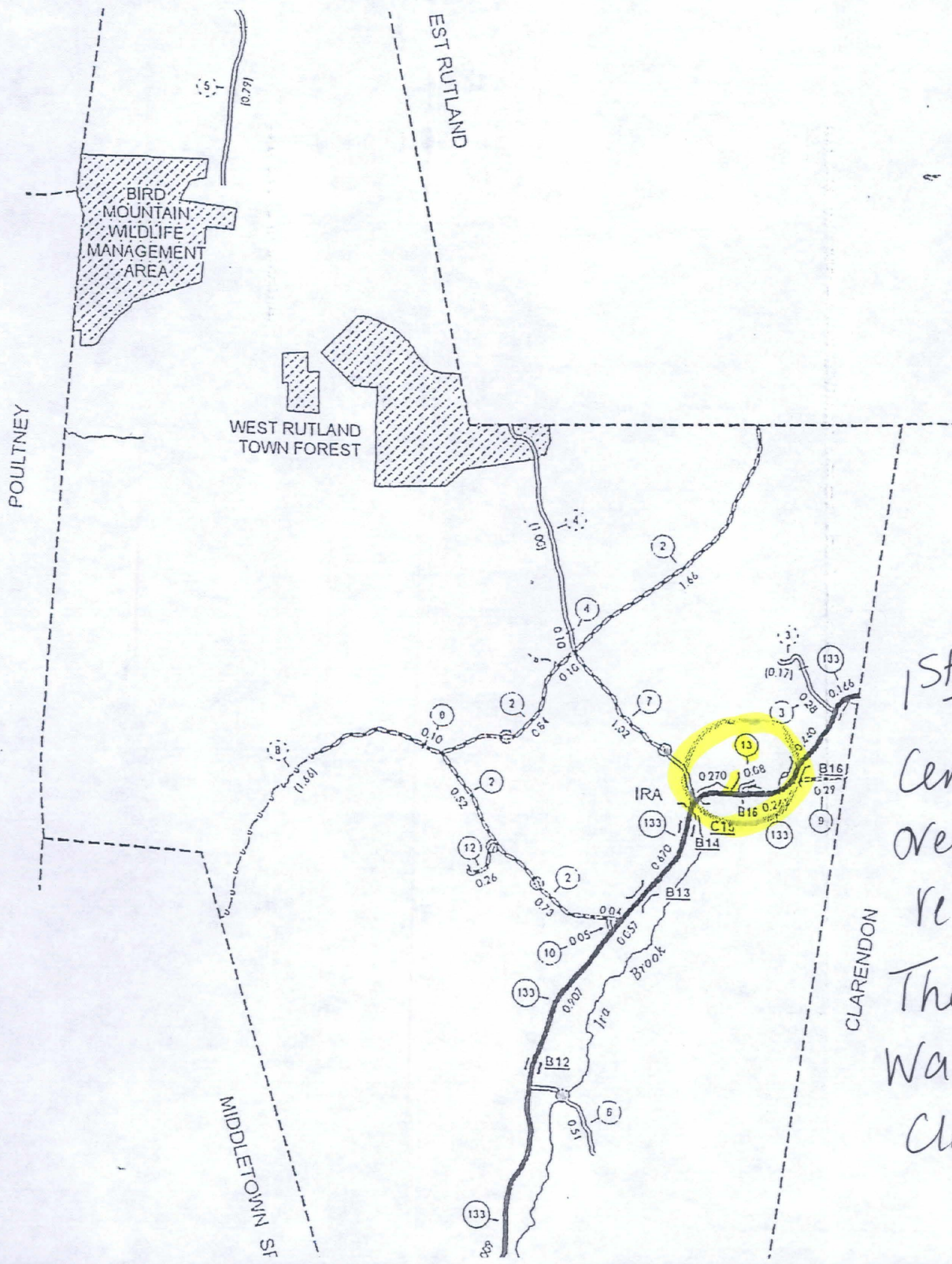
IRA

(CTUA: 1109-0)



Mapping Section
Division of Policy, Planning, and Intermodal Development
Vermont Agency of Transportation - November 2017





1st - 190' from
 Center of Rt 133
 over bridge will
 remain class 3.

The next 237'
 was reclassified to
 class 4.

STATE OF VERMONT
TOWN OF IRA

WHEREAS, at Ira, Vermont, on the 2nd day of May, 2016, the Select board of the Town of Ira, by Petition of the requisite number of Town voters, and upon its own Motion, did vote to propose, pursuant to Title 19 Vermont Statutes Annotated, Chapter 7, as amended, that the following Town Highway, Kahle Road (TH13), in the Town of Ira be considered for reclassification along its entire .08 (eight-hundredths) mile course or (on Select board's Motion) be reclassified starting at a point 190 feet from the center of State Highway Route 133 to its terminus:

KAHLE ROAD (TH 13)

Kahle Road (TH 13), presently classified by the Town and listed with the Vermont Agency of Transportation as a Class 3 Town Highway measuring 0.08 (eight-hundredths) mile from State Highway Route 133 to its terminus; has been considered for reclassification as a Class 4 along its entire length, or for reclassification starting at a point 190 feet from the center of State Highway Route 133 to its terminus.

WHEREFORE, the Select board did order and appoint that on the 13th day of July, 2016 at 6:00 p.m. it would meet at the site and at 6:45 p.m. it would meet at the Ira Town Office in the Town of Ira Vermont, for the purpose of hearing all persons interested in said Town Highway and its alteration, and for the purpose of examining the premises affected thereby, and did give notice to the statutory parties and to those set forth in Exhibit "A" attached hereto all being persons who own or are interested in the lands on which said Town Highway now lies or abutting on said Town of Town Highway at their last known addresses; and did give notice thereof to the voters of the Town of Ira by causing a notice to be published in the Rutland Herald: with a circulation in

Ira, Vermont on June 29, 2016, and did leave a copy of such notice with the Ira Town Clerk.

AND, afterwards, on July 13, 2016, the Select board did examine said Town Highway, and did hold a public hearing on July 13, 2016, at 6:45 p.m. at the Ira Town Office at which time individuals were given the opportunity to appear and give testimony regarding said Town Highway. There were no claims for damages. Testimony was received from over twenty-five persons at the public hearing.

AND, the Select board determined that the present status of the Town Highway known as Kahle Road (TH 13) is as follows:

1. That Kahle Road (TH 13) is a class 3 Town Highway from its origin with State Highway Route 133 running in a northeasterly direction for a distance of 0.08 (eight-hundredths) miles until its terminus.
2. That the Kahle Road provides access to one residence.
3. That there is a bridge located within the first 190 feet of Kahle Road (TH 13), measured from the center of State Highway Route 133.

AND, after due discussion and deliberation with those in attendance and after review of the premises with the adjoining landowners, the Select board was of the opinion and did so vote that reclassification of Kahle Road (TH 13) from a Class 3 Town Highway to a Class 4 Town Highway starting at a point 190 feet from the center line on State Highway Route 133 to its terminus is in the best interest of the Town.

The reclassification of the aforementioned road meets the public good, and is in the best interest of the Town.

In reaching its decision, the Select board considered several concerns raised at the public

hearing:

1. Safety in plowing. The plowing of Kahle Road (TH 13) as reclassified will be as it currently is on other Roads. The Town plow truck backs into state Highway Route 133 and Town highways as needed, to open up the headway into the intersecting roads.

2. Responsibility for the culverts and bridges. The Town of Ira has a Class 4 roads policy that states that the Town shall not provide any summer or winter maintenance on any Class 4 highways, beyond that required by statute. Notwithstanding the above, the Select board may, in its sole discretion and judgment, authorize repair of a Class 4 highway if the following conditions are met:

a) Highway crews have the time to do the work without impacting work required on Class 2 and 3 highways.

b) There are funds available in the budget to perform the work without impacting Class 2 and 3 maintenance obligations.

c) The repair work to be done is essential for the preservation or protection of the highway.

3. Potential savings to the Town if the reclassification was to go through.

The Select board could not accurately calculate the net savings from reclassification, because records have not been kept on how much time and material are required on specific roads. The Town in 2014 starting keeping a better system so in the future this

information will be available. However, the Town does receive in State Aid the amount of \$11,320.68 for the 7.44 miles of Class 3 roads that it has. Reclassification of 237 feet of Kahle Road (TH 13) to class 4 will result in a loss of \$66.92 in state aid for winter and summer roads maintenance.

Maintaining the first 190 feet of Kahle Road (TH 13) as class 3 would mean in a natural disaster event the bridge would potentially be eligible for FEMA funds to rebuild the bridge. Rebuilding the bridge after a natural disaster would be in the best interest of the town.

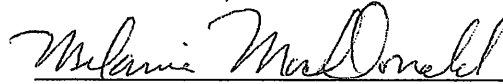
The select board recognizes that after so many years that this will be a change for the landowners involved. As a result, the road classification will become effective on May 1, 2017.

Dated at Ira, Vermont this 2nd day of September, 2016.

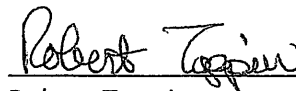
Select Board, Town of Ira



Steve Martelle, Chair



Melanie MacDonald



Robert Toppin

TOWN CLERK'S OFFICE
IRA, VERMONT

Received for record the 2nd
day of September A. D. 20 16
at 9 o'clock 15 minutes
a M., and recorded in Book 36

Page 441
Baren Davis Town Clerk

Ira Select board
Road Reclassification Public Hearing Minutes
July 13, 2016
Ref Petition 5/2/16

Site Visit – Kahle Road

Site Visit attendees

Mark FitzGerald, Allyn Kahle, Jim Kahle, Lew Hoffman, Jack Perry, Tim Martin, Bob Kirbach, Melanie MacDonald, Bob Toppin, Steve Martelle, Theresa McGinnis, Dan Perry, Karen Davis

Select board members Steve Martelle, Bob Toppin, and Melanie Macdonald met interested citizens on Kahle Road at 6:00 pm. Steve Martelle read part 1 of the Road Reclassification document. Part 1 states:

The purpose of this site visit is to look at the Kahle Road in response to a road reclassification petition submitted to the Ira Town Office.

No comments will be made from the Ira Select board. Any public testimony will be accepted either written or orally back at the Town Office.

Dan Perry and Bob Toppin ran a professional distance wheel owned by the town (Lufin Hi Viz), and measured from the white line on Route 133 to an orange mark on the north side of the bridge. A distance of 180 ft. They then ran the entire length of the road which measured 427 ft.

Site Visit – Fish Hill Road

Site Visit attendees

Mark FitzGerald, Allyn Kahle, Jim Kahle, Lew Hoffman, Jack Perry, Tim Martin, Bob Kirbach, Melanie MacDonald, Bob Toppin, Steve Martelle, Theresa McGinnis, Dan Perry, Karen Davis, Christen FitzGerald

The select board then traveled to Fish Hill Road and reconvened at 6:15 pm. Steve Martelle again read part 1 of the Road Reclassification document using applicable wording for Fish Hill road. Dan Perry, Mark Fitzgerald, and Jim Kahle ran the wheel and walked Fish Hill road. Bob Toppin, Tim Martin, and Melanie MacDonald followed up the road by car. Dan measured from the center of West road to an orange paint mark south of the culvert at 215 ft. Dan then measured to a point just to the east of the house that he understood the town road ended (hook in road). This measured 1260 feet. Dan continued to measure to a point in front of the garage 1318 ft.

Hearing attendees

Bob Toppin, Melanie MacDonald, Steve Martelle, Alta Johnston, Jami Charron, Dan Charron, Ashley Melen, Francis Lloyd, Tim Perry, Marcus Rockwell, Ellen Lloyd, John Farrell, Mary Martelle, Jeanne Raiche, Dave Potter, Christina Hewitt, Nathan Hewitt, Mark Fitzgerald, Christen Fitzgerald, Theresa McGinnis, Lew Hoffman, Jim Kahle, Jack Perry, Tim Martin, Robert Kirbach, Allyn Kahle, Dan Perry, Karen Davis, Deborah Perry

The hearing opened at 6:45 pm at the Town Office. Select board members Steve Martelle, Bob Toppin, and Melanie Macdonald were present. Tim Martin, (lawyer and Town Agent) was also in attendance. Twenty-nine people signed the attendance sheet. Alta Johnston, Assistant Clerk asked everyone to stand up and read the oath and swore in all attendees. Steve Martelle started the meeting by reading the Road Reclassification document part 2. Part 2 states:

The purpose of the hearing is to accept public testimony on the Kahle Road. and Fish Hill Road. Public comments will be recorded and kept on file in the Town Office. Within 60 days the Select board will make a decision on each road separately and a written statement will follow.

No comments pro or con will be made by the Select board during the hearing.

We expect that any and all discussions will be civil and respectful. Remember the Ira Select board did not file the petition and yet it is responsible for making a decision.

Steve Martelle opened up the meeting by asking the Question: Why was the petition filed? Ashley Melen responded that she believed the town highways should be equalized. For example Fish Hill Road is a class 3 road with class 3 services and only one house. Kahle Road is also a class 3 road with class 3 services and only one house. Pyka Road, however, is a class 4 road with class 4 services and has two houses. Middletown Springs Road is also a class 4 road with class 4 services and has two houses and one being built.

Jim Kahle spoke of the expense to the landowner to maintain the road and questioned how plowing would be done. Steve Martelle responded that if the town road ended on the north side of the bridge the truck would then back out as it does on numerous other roads in town. Jim was concerned with snow left in the middle of the road. Jim stated that the fastest and safest snow plowing would be to leave Kahle Road as is – class 3.

Mark Fitzgerald wanted to know if Fish Hill Road went to class 4 would the town maintain the culverts and bridge? Steve Martelle referred Mark to the town policy on class 4 roads, which states that the town will maintain bridges and culverts. Mark reported that the road is not well maintained. One culvert is rotted out where there is a hole in the road and that the actual expense is the plowing. Mark also reported that, from his research, state aid started in 1956, and at that time Fish Hill was a dairy farm. Mark asked if there was any documentation of Fish Hill being Class 3? Whether there was any town ordinance as such. He stated since there is no zoning in Ira, landowners are building on Class 4 roads as evidenced on Goodrich Road and

Middletown Springs Hill Road. Mark also said that the Fish Hill property is still operating as a farm. Two farmers are haying, one operation is maple sugaring, and the land is in the current use forestry program, which requires logging and trucking off the hill. Mark stated that because of the agricultural practices Fish Hill is not just a driveway. Mark then spoke of the \$2000 a year for highway taxes that he is paying. (Actually \$1737.81) Mark then spoke of the big culvert in the brook at the foot of the road and the need to keep it as a class 3 in case of a flood event so the town could potentially file for a disaster grant. Mark is very concerned about keeping the road open and clear for fire and ambulance equipment and manpower. Mark feels that more development in Ira would be good in the future and thus upgrading the road systems and infrastructure would be a good thing. Deb Perry (Town Treasurer) reported that state Aid for roads is \$11,320.68 for our 7.44 miles of road which works out to \$395.61 to maintain Fish Hill Road (summer) and plow and sand (winter). Mark rebutted that according to Jonathan Cross the number is closer to \$600. Mark questioned the savings. Mark asked what does it cost to maintain Fish Hill Road and Kahle Road? Steve Martelle reported that the financial information on each road is not available.

Jim Kahle stated that the Kahle property has cows on it and there is also a sugaring operation. Jim questioned how much the town would save by not plowing. If the town plowed just over the bridge now would they turn around? Indeed the plowing would be more difficult.

Ashley Melen stated that there is no law that she is aware of that says that for agricultural purposes roads should be of a certain classification.

Theresa McGinnis stated that in order to promote progress and equalization the other roads in town should be brought up to specification. Ira now owns equipment, (backhoe, grader, and dump truck) to facilitate upgrades.

Mark Fitzgerald said that there is no zoning in Ira so development is occurring on Class 4 roads. Mark recommended zoning. He also reported that a culvert part way up Fish Hill is rusted out and as a result there is a hole in the road. Mark stated that the road has been class 3 for sixty years and it would be an economic burden to change the classification.

Theresa McGinnis asked if the Town of Ira set a precedent by designating class 3 agricultural and if there is a potential for lawsuits? Steve Martelle responded to Theresa to google laws on class 3 and 4 roads.

Jim Kahle asked if there is an appeal process to the superior court?

Mark Fitzgerald asked if Tim Martin (lawyer and town agent) was representing the town in this matter? Tim Martin responded yes. Mark then asked if it was a conflict of interest as a taxpayer? Tim responded no.

Tim Perry said what is important on the road classification is to consider the best interest of the town. Indeed the decision might create more hardship for landowners.

Theresa McGinnis again stated that the town should consider the potential for lawsuits.

Jim Kahle asked what's going to happen in a foot of snow? Kahle Road has been plowed for over 50 years.

Steve Martelle reiterated that the culvert on Fish Hill Road and the bridge on Kahle Road would remain class 3 so the FEMA disaster funds would be eligible.

Mark Fitzgerald asked the question when and where did the bridge classification (3) occur? Is it in the select board notes? Steve Martelle responded that the bridges were measured tonight.

Melanie MacDonald asked do we have to plow class 3 roads? Jim Kahle said that by statute town roads must be in good condition year around. Mark Fitzgerald stated that the town roads must be in sufficient condition or the state can take state aid money away.

Steve Martelle asked if there were any other comments?

Theresa McGinnis asked how will they plow? Jim Kahle said that if the plow backs out onto Route 133 there will be a safety hazard. Theresa McGinnis was concerned with road runoff. Tim Perry said it might be easier on the Kahle Road to plow the whole road and eliminate the backup hazard.

Clarendon State legislator Dave Potter prefaced his remarks stating that the meeting offered a good discussion from both points of view. He felt the petition was convoluted. He believed Ira should upgrade its back roads and move forward.

Tim Perry asked how did Fish Hill Road become class 3? Mark Fitzgerald said state aid started in 1956. Tim Perry asked if there are records in the town office? Steve stated there are no records as far as we know.

Nathan Hewitt referenced the overall town plan and if the road infrastructure should be upgraded or not.

Steve Martelle thanked everyone for attending and reminded everyone the Select Board has 60 days to make a decision.

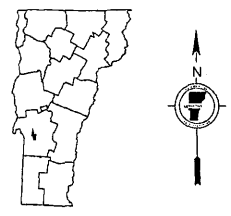
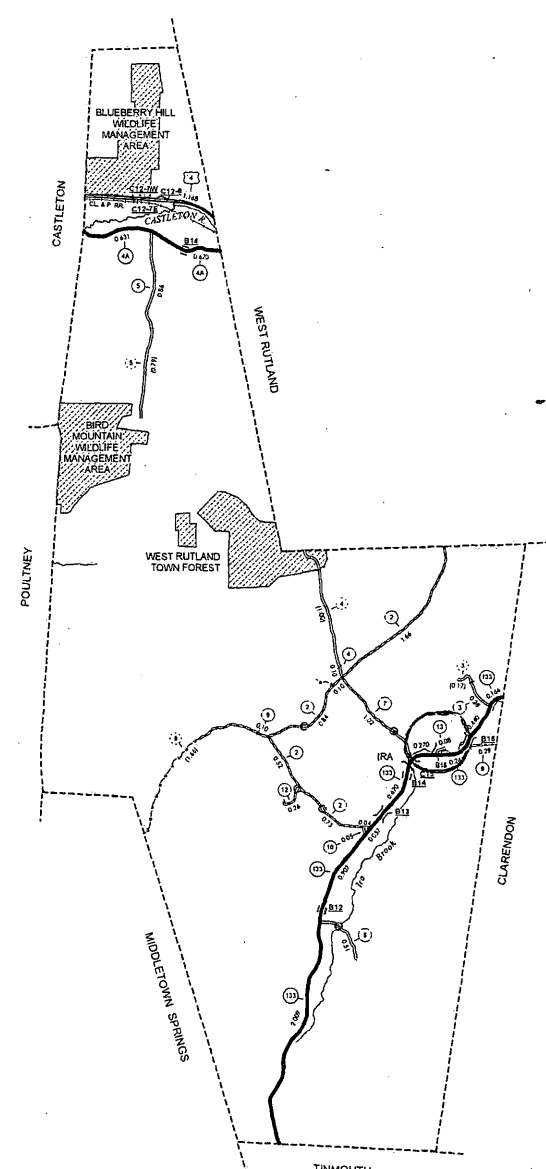
The meeting adjourned at 7:43 pm

TOWN HWY. No.	LENGTH IN MILES CLASS 3	CLASS 4
2	3.89	
3	0.28	(0.17)
4	0.10	(1.00)
5	0.86	(0.79)
6	0.51	
7	1.02	
8	0.10	(1.60)
9	0.29	
10	0.05	
12	0.26	
13	0.08	
TOTAL	7.44	3.62

MILEAGE SUMMARY

CLASS 3	TOTAL CLASS 3	7.44
CLASS 4	TOTAL CLASS 4	3.62
TOTAL TOWN		7.440
STATE HIGHWAY		
VT-6A	1.301	
VT-133	4.780	
TOTAL STATE HIGHWAY	6.081	
US HIGHWAY		
US-4	1.168	
TOTAL US HIGHWAY	1.168	
TOTAL STATE	7.249	

TOTAL TRAVELED HIGHWAYS, FEB. 10, 2015: 14.689
(Excludes Class 4, Legal Trail, and Unimproved/Primitive)

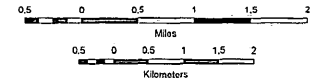


**VERMONT
GENERAL HIGHWAY MAP**

**Town of Ira
RUTLAND COUNTY**

Transportation District #3
 Prepared by the
Vermont Agency of Transportation
 Division of Policy, Planning and Intermodal Development
 in cooperation with
U.S. Department of Transportation
 Federal Highway Administration

Mileage as of February 10, 2015
 Map prepared June 23, 2015
 SCALE 1:31,680



- | | | |
|-----------------|------------------------------------|--|
| HIGHWAYS | — INTERSTATE OR DIVIDED HIGHWAY | □ PUBLIC LAND - GREEN MOUNTAIN NATIONAL FOREST |
| — INTERSTATE | — STATE - HARD SURFACE OR PAVED | □ PUBLIC LAND - STATE/MUNICIPAL |
| — U.S. ROUTE | — TOWN - HARD SURFACE OR PAVED | — POLITICAL SUBDIVISIONS |
| — STATE ROUTE | — GRAVEL | — STATE BOUNDARY |
| — CLASS 1 | — SOIL OR GRADED AND DRAINED EARTH | — COUNTY BOUNDARY |
| — CLASS 2 | — UNIMPROVED OR PRIMITIVE | — TOWN BOUNDARY |
| — CLASS 3 | — IMPASSABLE OR UNTRAVELED | — VILLAGE BOUNDARY |
| — CLASS 4 | — LEGAL TRAIL | — URBAN COMPACT BOUNDARY |
| — LEGAL TRAIL | — DISCONTINUED | — WATER BODY |
| | — HIGHWAY CLASS CHANGE | — STREAM OR BROOK |
| | — RAILROAD | — BRIDGE OR CULVERT |
| | — INACTIVE RAILROAD | — BRIDGE OR CULVERT > 20' |
| | — NFR NATIONAL FOREST ROAD | — BRIDGE OR CULVERT 6' - 20' |
| | — SPH STATE FOREST HIGHWAY | — VOBIC BRIDGE |
| | — P PARK AND RIDE | — VOBIC CULVERT > 6' |
| | | — VOBIC CULVERT > 6' |
| | | — STATE BRIDGE OR CULVERT IDENTIFIER |
| | | — TOWN BRIDGE OR CULVERT IDENTIFIER |

FEDERAL CLASSIFICATION IDENTIFIER
 MAJ URBAN ARTERIAL OR COLLECTOR
 MA MINOR ARTERIAL
 MJC MAJOR COLLECTOR
 MNC MINOR COLLECTOR
 PA PRINCIPAL ARTERIAL

DISCLAIMER:
 The untraveled highways (paid-out town highways), discontinued highways, and legal trails herein are those of which the Agency of Transportation has records; others may exist.
 Highway and bridge data by the Agency of Transportation, Town short structures are drawn from the Vermont Online Bridge & Culvert Inventory tool (VOCIT) database. All other data from the Vermont Center for Geographic Information. Only named streams are shown.

Vermont State Plane Coordinate System
 North American Datum of 1983
 SPCS_2011_StatePlane_VT_NAD83
 Geographic Reference System, 80
 4,000-meter grid, Easting - Northing