

Town of Thetford

PO Box 126

Thetford Center, VT 05075

(802) 785-2922

TOWN OF THETFORD

Memorandum of Understanding to Lease of Town Forest, Five Corners Road, Thetford Center, VT

This Memorandum of Understanding accompanies, and is attached to, the Lease, made in the Town of Thetford, in the County of Orange and the State of Vermont, by and between the Town of Thetford, a municipal corporation, organized pursuant to the laws of the State of Vermont, by and through its Selectboard (hereafter denoted "the Lessor"), and the Upper Valley Fish and Game Club, Inc., a Vermont corporation with a principal place of business in Thetford (hereafter denoted "the Lessee"), by and through its duly authorized representatives, as signed this **25th April, 2016**, to supersede that agreement of 22nd February, 2016.

1. Other obligations. The Lessee shall be responsible for maintaining the premises in proper repair at all times, and to surrender the Premises in as good condition as when possession is taken under this instrument, normal wear and tear excepted. The Lessee shall insure that all reasonable measures are taken to protect the public from the hazards presented from any of the activities in which the Lessee engages. The Lessee is required to maintain current liability insurance coverage.

- a) The Lessee agrees to comply with, implement and complete all improvements as dictated within an Environmental Stewardship Plan (ESP) approved by the Vermont Department of Fish & Wildlife. This plan is to help the Upper Valley Fish & Game Club to implement the Environmental Protection Agency's Best Management Practices, to address such issues as erosion, lead leaching and lead reclamation. Such plan shall also allow for continued water quality testing for lead contamination by the Vermont Agency of Natural Resources (ANR).
- b) The Lessee agrees to comply with a Range Management Plan (RMP), approved by the Vermont Fish & Wildlife Dept., to address safety issues, such as the construction of approved backstops and the installation of side berms as dictated in such plan.
- c) A copy of both approved plans (ESP & RMP) must be presented to the Lessor within 90-days of the signing of the attached Lease, with a proposed schedule of implementation for said Plans. The Lessee shall be required to provide to the Lessor annually, a copy of Club filings with the Secretary of State, along with a current Certificate of Insurance, as further noted in the Lease.



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On 04/28/2016 At 2:00:00 pm

- d) An "organized shoot" as referenced in the Lessee's May 18, 1981 Conditional Use Permit shall be by the determination of the authority of the Town of Thetford Zoning Administrator, in reference to existing said permit. As per the Conditional Use Permit, "*Restriction 3.) These restrictions of organized shoots are not intended to apply to casual shooting, or to hunter safety courses, or to any other recreational use, such as hiking or fishing.*"
- e) The Lessee shall maintain a permanent, lockable gate at the entrance road to the Premises. The gate shall remain locked at all times the Premises are not in operation, and keys or access by combination shall only be given to authorized members of the F&G Club. The Lessee shall be responsible to ensure, by appropriate signage, that no one other than authorized members of the Club or its invitees uses the Premises.

2. Restrictions & Prohibitions.

- a) No use of fully automatic firearms.
- b) No use of .50 caliber (BMG) center-fire rifle or larger firearms.
- c) No use of tracer, armor piercing or steel core ammunition.
- d) No use of fireworks, pyrotechnics, or exploding targets, including Tannerite.
- e) No Club member or invitee shall be permitted to use the Premises as a testing facility for the proposed commercial sale of firearms of any type.
- f) The Lessee shall prohibit the presence or use of alcohol, during allowed shooting hours, and the presence of any illegal substances on the Premises.
- g) The Lessee shall prohibit the presence of any person who is under the influence of alcohol, during allowed shooting hours, or any illegal substances.
- h) Children, aged 15-years or younger, shall be accompanied by a member over the age of 18-years, unless attending an event or training sponsored by the Lessee.
- i) The firing of more than one round per second per individual is prohibited, except for law enforcement trainings and Wednesday evening shooting, from 5:00 PM.

3. Hours of Shooting. The Lessee must post hours of shooting as follows:

- a) Hours announced annually in a public location.
- b) Maintaining visible signs at entrances with hours of shooting and restrictions.
- c) Must post special shooting events (non-normal hours, such as law enforcement training) 4 days in advance to the Town public notice(s) location and Town Listserv, and as allowed in the Club's Conditional Use Permit.
- d) Monday, Tuesday, Thursday & Friday - 9:30AM to 7:30PM or ½ hour after sunset, whichever is earlier.
- e) Wednesday - 9:30AM to 8:00PM or ½ hour after sunset, whichever is earlier.

- f) **Saturday & Sunday - 9:30AM to 5:00PM, as listed below.**
- g) Saturday & Sunday shooting allowed the first and third full weekend of each month, April 1st thru the second Sunday in September.
- h) Saturday & Sunday shooting NOT allowed the second and fourth full weekend of each month, April 1st thru the second Sunday in September.
- i) In those instances of a fifth weekend, or when the first or last weekends span between two different months, shooting will be allowed on Saturday, but NOT on Sunday.
- j) No shooting allowed on the following recognized & observed holidays -
 - New Year's Day
 - Memorial Day
 - Christmas Day
 - Easter Sunday
 - Labor Day

4. Notice. For the giving of any notice hereunder, the following shall apply:

If to the Town: Thetford Town Office
3910 Vermont Route 113
P.O. Box 126
Thetford Center, VT 05075
ATTN: Selectboard

With copy to: Brian P. Monaghan, Esq.
Monaghan Safar Ducham PLLC
156 Battery Street
Burlington, VT 05401

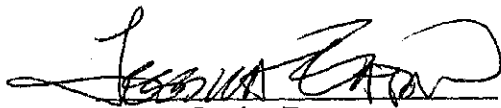
If to the Club: Upper Valley Fish & Game Club, Inc.
P.O. Box 276
Thetford Center, VT 05075

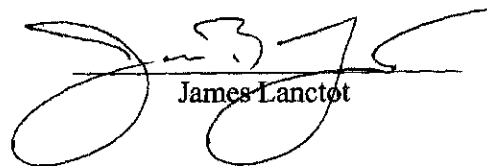
WITNESS our hands this 26 day of April, 2016:

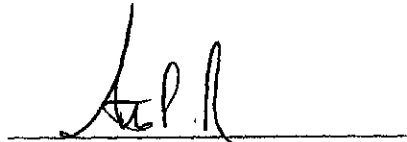
For the Town of Thetford (Thetford Selectboard):


John Bacon

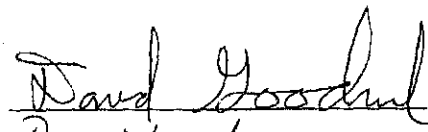

James Dixon


Jessica Eaton

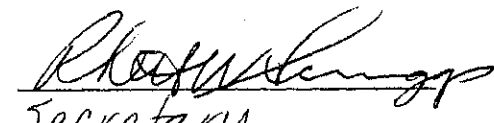

James Lanctot


Stuart Rogers (Chair)

For the Upper Valley Fish and Game Club:


David Goodhue
President

April 28 2016
Date


Rhonda King
Secretary