

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, JANUARY 19, 2015

Present:

Selectboard Members: Kathy Black, Nat Kinney (by phone, 7:33-7:42), Doug Molde, Eric Osgood

Others: Duncan Hastings (Manager), Rosemary Audibert (Clerk), Steve Smith, Lois Frey

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Eric called the meeting to order at 7:04.

2. *Additions, Changes to Agenda*

Eric said Doug had identified one agenda item where he has a conflict of interest, so Nat will need to join the meeting by phone for that. He said he wanted to add to the agenda a resolution the Town of Rutland is asking all selectboards to adopt. Duncan asked to add an executive session to discuss wages for a specific employee. The board agreed to those additions.

3. *Review and Approve Minutes of Meetings Past*

Kathy moved to approve the minutes of December 15, Doug seconded, and the motion was passed.

4. *Treasurer's Report / Review and Approve Bills, Warrants, Licenses / Any Action Items*

Rosemary said total expenditures are at 62.07% of budget. Since we changed fuel companies we haven't gotten a fuel bill so the heat category is low. Eric noted that we are over budget quite a bit on summer roads in the construction category. Rosemary and Steve said some of that is for the Clay Hill project. Duncan said he thinks quite a few things have gotten lumped into construction and some may be journaled out. Current taxes collected are at 57%. That is pretty average for the past couple of years. The auditors started work last week and will come back in a couple of weeks.

5. *Road Commissioner/Road Foreman Report and Action Items*

Steve said since the last meeting we have had 29 inches of snow. The highway crew sanded 33 times, plowed 13 times, and used 260 tons of salt. He has been looking into the price of a new salt truck. With a trade-in, the price will be about \$100K. We should get around \$32-38K for the trade-in. The highway crew had to thaw 3 culverts today.

Doug moved to enter executive session to discuss wages for a specific employee, inviting Duncan, Steve, and Rosemary to remain, Kathy seconded, the motion was passed, and the board entered executive session at 7:17. The board came out of executive session at 7:31. (Steve left at 7:31.)

6. *Manager's Report and Action Items*

Nat joined the meeting by phone at 7:33. Duncan explained that we have an opportunity to apply for a Land and Water Conservation Fund grant to help with the purchase of the Beard property. It is a 50-50 grant. It is a federal grant passed through the State of Vermont. The budget figure for the application would be \$85K, which is the anticipated property acquisition cost. Other costs (closing, appraisal, etc.) bring the cost up to about \$120K.

Vermont River Conservancy is pledging to raise the funds needed for the match so we would not need to pay it. If the money hasn't been raised when it is time to sign the grant agreement we could choose not to sign it. Nat said this sounds like a good opportunity.

Kathy moved and Nat seconded to approve the resolution to apply for Land and Water Conservation Fund grant funds in the amount of \$42,500, committing to a \$42,500 match, for the purpose of purchasing the Beard riverfront parcel, and to appoint Duncan as agent and authorize the chair to sign the application. The vote was taken by roll call, as required by open meeting law when a member is participating by electronic means. Doug recused himself and Howard was absent. Kathy, Nat, and Eric each voted in favor. **The motion was passed.** Nat left the meeting at 7:42.

Duncan said the town has paid his membership fee for the Vermont Town and City Managers Association. He tries to attend the two annual meetings, which most often have very good training sessions and speakers. The fee was included in the bills the board approved this evening.

Duncan has not yet had time to look at the LCPC Culvert Inventory and Assessment and Road Erosion Assessment. Both will be useful when the requirements for mandatory road surface management practices come down from ANR to deal with total minimum daily loading of phosphorus and sediments. Eric said he would like copies of the reports.

The town has received a request to use Old Mill Park and facilities for the Green Mountain Relay, a 200-mile relay race from Jeffersonville to Bennington. The group would provide portable toilets and a certificate of insurance. Kathy noted that there should be communication with the rec committee in case there are any activities planned that might conflict. **Kathy moved and Doug seconded to approve the request to use Old Mill Park and facilities for the Green Mountain Relay and the motion was passed.**

Duncan showed the board a draft article for the town meeting warning asking the voters to hear a report from the Committee on Form Based Code. The board agreed the article looked good and should be included.

Doug moved to accept Cynthia Perry's resignation from the Conservation Commission, Kathy seconded, and the motion was passed.

Bob Selby plans to resign from the Planning Commission, but not until March so Duncan said no action is needed yet.

Duncan asked the board to sign the Certificate of Highway Mileage. It certifies the number of miles of highway we have in different classes. **Doug moved to sign the Certificate of Highway Mileage, Kathy seconded, and the motion was passed.**

Lea had previously sent out draft Revolving Loan Fund Priority Guidelines for the board to review. Duncan said this is a document we need to provide now to DHCA to comply with the

grant closure agreement, but he views it as a work in progress. We won't have money to loan for at least a couple of years. Between now and then the document can be changed.

Eric asked if it will address whether someone who isn't a Johnson resident can borrow money. Duncan said he doesn't believe a loan applicant would have to be a resident and he thinks the document was modified so residency is not a requirement. The guidelines call for establishing a Revolving Loan Fund Review Committee to be appointed by this board. Hopefully it would consist of people with bank or loan or economic development experience. They would review applications and make recommendations to the board.

Doug asked about the language stating funds could be used for residential housing stock in downtown Johnson. He questioned why "downtown Johnson" is specified rather than the Village of Johnson. He said housing is such a problem here he wouldn't want to limit it too much. He would suggest making it the whole village. Duncan said that would seem to indicate we wouldn't loan for housing stock outside the corporate limits. Doug said yes, but "downtown" is even more restrictive than limiting it to the village. Duncan said "downtown" is very hard to define. The village is clearer. **Doug moved to amend the Revolving Loan Fund Priority Guidelines to change "improvement of residential housing stock in downtown Johnson" to "improvement of residential housing stock in the Village of Johnson" and to approve the Guidelines with that amendment, Kathy seconded, and the motion was passed.**

The Lamoille County Sheriff's Department and the Agency of Agriculture investigated the complaints of animal cruelty and junk on Wilson Road. It was determined that some cows needed to be relocated into a different environment or the owners would be cited for animal cruelty. Duncan has not heard whether the owners have complied. If they don't, an animal cruelty citation will be issued and then there will be a court process. There could be vet bills or boarding bills if the animals are ordered to be removed and cared for. We could seek a court order to be reimbursed but the owners may not have the resources to pay.

Kathy asked, what about the junk? Duncan said LCSD felt that would be more appropriate for our constables to investigate. David Jones went out and looked at the property but it was hard to tell what the situation was with the snow cover. He said he would feel more comfortable pursuing the investigation when there is no snow. The Armstrong property on River Rd. also still has problems that are not being resolved. Rosemary is looking into how to proceed with that.

It appears we cannot call Pearl St./School St. a 5 rod road. Now that we are back to saying it is a 3 rod road, easements are required for the School St. project and they have been secured. Deeds have been prepared which combine the conveyance of necessary easements for the village's School St. project with the quit claims conveying town property to the school district and conveying Nelson Duba field to the town. We had to post notice for 30 days of our intent to convey real estate. The earliest date the deeds can be signed by the town is January 22. Doug asked if the school board also has to advertise its intent to convey Duba Field. Duncan said he doesn't know. He let Katie Orost and Sara Davies Coe know what our

requirement was and encouraged them to check with their attorney about their statutory requirement.

Doug moved to authorize Eric to sign the deed conveying title to the property occupied by the school to the school district provided the deadline has passed with no receipt of a petition with signatures of 5% of town residents, Kathy seconded, and the motion was passed.

It was agreed to schedule a budget work session meeting for Thursday, January 22 at 4:00.

Our engineering firm is developing cost estimates for the Coddling Hollow work. The question is whether FEMA can fit the requirements for a stream alteration permit into a mitigation strategy. They have indicated they will try to work with us.

Duncan distributed information from Gilles Lehouillier on costs to date for the Holcomb House work and estimates of work to be completed. If we include \$3500 for a roof on the ramp and a 5% contingency, we are at \$97,388. There is \$98K available. Duncan said he is impressed with the work Gilles is doing. He recognizes this is a community effort and he is not billing for all his time. We got the permit from Fire Safety for the Holcomb House. Now Duncan needs to submit for an amendment as we are no longer putting in a lift. We also got certification from ETech Consulting that the property does not have asbestos. It looks like there will be money to put a roof over the handicapped ramp. For now a roof will just be put over the entryway and part of the ramp, with the idea that the rest can be done at the end of the project if there is enough money.

Lois asked if the lift is a total dead issue. She brought up the possibility of a small grant to help pay for it. Duncan said at this point it's the board's call. Eric said he didn't feel comfortable making the decision to change back to a lift with the added cost after the board chose to save money by not putting in a lift. But the board could change back to a lift.

Lois said a ramp is a safety issue in winter and it takes up space that could be used for parking spaces. A lift would be inside and would prevent those issues. Duncan said we are losing some parking on the east end but also gaining some where there portico would have been. It will be close to a wash. And if we roof the ramp weather is less of a concern.

Kathy said if it is built to code a ramp should be completely safe. Lois said she is thinking of icing conditions and snow. Kathy said there is something welcoming about a ramp. It is easy for anyone to use. Doug said he is reluctant to switch plans because he doesn't know where work stands right now and what Gilles has ordered. Duncan said he would assume Gilles has ordered materials for the ramp. He would be hesitant to change plans. It would be a major design change to go back to the lift idea. There would be a lot of added cost and it would change the whole look and atmosphere. And Howard is not here now to redesign something. Five years from now, if the ramp isn't working, there is no reason it couldn't be removed and the building redesigned to install a lift, though it would cost more to do it at that point. Doug said he is hesitant to change when we have such a tight budget and when we don't know about the design and where we are in the process.

Duncan said he thinks we will probably need to seek tax exempt status for the two Holcomb House apartments. It doesn't really make sense to him because it is a municipally owned property, but Stearns Allen feels the non-public use is taxable. Eric asked, if the voters authorize tax exempt status do we pay the school part of the tax? Duncan said he believes we would have to pick up the school portion, which is the greatest portion.

Duncan said he was keeping short term disability information on file for budget season. Doug said he has no interest in it. No one else expressed interest in keeping this on the manager's report, so Duncan said he could strike it.

Our Common Level of Appraisal is at 106.52% and our Coefficient of Dispersion is 13.67%. A COD of less than 10% indicates relative equity between classes of property assessments.

Duncan has submitted the request to amend the Structures Grant to include engineering and a request for partial reimbursement for our paving grant. We got reimbursed \$87,231 for our Class II paving grant this year.

Jen Stefanski has agreed to serve as Green Up Day coordinator again.

The school budget will increase by 2.75%, leading to a 0.038% increase to the tax rate.

7. Rutland Town Selectboard Resolution

Eric said the Rutland selectboard is asking boards to show support for a resolution to increase the input of municipalities on siting of renewable energy projects.

Duncan said they want to amend Act 248 to be similar to Act 250. He has issues with that idea. The CPG process is very different from the Act 250 process. The Public Service Board is not ignoring local concerns at all. Under Act 248's review requirements they have to follow most of the Act 250 criteria. But the purpose of Act 248 is to determine whether the siting of an energy resource is in the public good of the whole state, not any city or town. Kathy asked, so it's the public good as opposed to neighboring properties? Duncan said that is right. He feels that if the Public Service Board is not left with the ability to review with the whole state's good in mind nothing will get built.

Doug he thinks this should be taken up when the whole board is present. Eric said he will agenda it for the February meeting. Duncan said he will send out a copy of the resolution to everyone before then.

8. Selectboard Issues/Concerns

Lois said the Recreation Committee will be working on the Winter Carnival, which is scheduled for February 21. Different members have taken on different pieces of the work.

Doug said he heard that Skip Vallee might be coming to the February Planning Commission meeting. Board members might want to attend that meeting.

9. Adjourn

The meeting was adjourned at 9:11.

Minutes submitted by Donna Griffiths