

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
TUESDAY, JANUARY 7, 2020

**Present:**

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood  
Others: Brian Story, Rosemary Audibert, Brian Krause, Lois Frey, Lynda Hill, Sue Lovering, Lisa Crews, Greg Tatro, Howard Romero, several other community members

Meeting videotaped by Green Mountain Access Television. GMATV info: <https://greenmountainaccess.tv/>; PO Box 581, Hyde Park, 05655; info@greenmountainaccess.tv or 802-851-1592

**Note: All votes taken are unanimous unless otherwise noted.**

**1. Call to Order**

Eric called the meeting to order at 7:00.

**2. Additions, Changes to Agenda**

Brian added an item about the proposed arboretum project on Duba Field, recognition from Vermont Emergency Management for participation in the training event earlier this year, and information about a couple pieces of mail. Doug added a discussion of communication union districts. Kyle added an update on the racial justice workshop and discussion on getting the inclusivity sign in the foyer and dealing with the foyer in general.

**3. Review and Approve Minutes of Meetings Past**

**Mike moved to approve the minutes of December 16, Kyle seconded, and the motion was passed.**

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

Eric said he saw a bill from over \$10,000 from Nadeau's for the flood event. Do we have the total amount spent so far for the flood event? Brian said not offhand but Brian Krause has been keeping track of expenses. Eric said it would be nice to know the total. Mike asked if we will get reimbursed for what we spent. Eric said we should if a federal disaster is declared. Brian said the federal declaration has not been received yet.

**5. NVU Sports Management Intern Draft Job Description**

Brian said we think there is an opportunity to increase cooperation with the college and help them with work study for their sports management program by bringing in a work-study student as an unpaid intern. One thing we would encourage the intern to do would be to apply for a grant on our behalf. The only cost to us would be Lisa Crews' management time.

Kyle asked how many hours the intern would work. Lisa Crews said for 3 credits they would work 9 hours a week and for 6 credits they would work 18 hours a week. Kyle asked if they would come to this building. Lisa said she thinks they would work in a variety of places. We currently have an intern from the college who has been working at the recreation building.

Doug asked if Lisa solicited this. Lisa said yes. Her goal is to make an internship with us a coveted internship at NVU. They have an internship program in place that already has all its foundations set. She doesn't foresee it taking much of her time. It would take a lot of weight off of community volunteers and she likes the idea of our athletes seeing college athletes.

Mike asked, Lisa doesn't think this will cut into her time? Lisa said she thinks it will help her. She likes the idea of putting more energy into the program.

Kyle said any time we can build a bridge with NVU, that is positive.

Eric asked if Lisa thinks we can make the position attractive enough that interns will want to be here but not have the interns get us into trouble. Lisa said she thinks so. She thinks we can have parameters around what they are allowed to do.

Lois Frey said she feels the job description that was sent out is broader than what Lisa is describing. Brian agreed that the job description is very broad. It could be tightened up before approval. His thought is that with a broad job description we can assign the intern the tasks we need them to do. He wanted a description that would give flexibility.

There was a question about whether the intern has to do anything specific to get credit. Lisa said we submit the job description to the college internship program and then they approve it.

**Nat moved to approve the job description for the recreation intern position to be submitted to the NVU intern office.** Lisa said this would be a short-term position. The intern would come on for one semester. If they were a good fit it would be possible for them to do another semester. **Doug suggested that the job title in the motion be Recreation Intern - NVU. Nat accepted that as a friendly amendment. Doug seconded the motion.** Nat said Lois makes a good point that the job description is very broad but he has confidence that with Lisa and Brian supervising the intern they will be able to focus the intern's work. He is comfortable with it. **The motion was passed with Mike opposed.**

**6. *Fire Service Content***

Brian said we got the fire service contract back from the village with the final amount that the village will be asking the town to contribute. They made some minor changes from our previous version. Mike asked if those changes went back to our attorney. Brian said no; he wanted the board's opinion on whether they should be sent to the attorney. Doug said he is in favor of sending it to the attorney. There are clauses in the contract that he doesn't understand. He noted that in paragraph 1 it says that the fire department will provide fire protection services to the Town of Johnson. He thinks we need to specify that the contract refers to services provided to the portion of the town outside the village. The board agreed that the contract should be sent to the town's attorney for review.

**7. *Tuesday Night Live Committee Appointment***

Brian said Jen Burton has resigned from the Tuesday Night Live Committee. He doesn't have an official resignation letter from her, but when she joined she had expressed that she was only joining for one season. Howard said she informally resigned after the end of the season and has not been attending meetings. Brian and Howard agreed that they consider her to have resigned.

Brian said Tom Moog has expressed interest in joining the committee and the committee feels his experience with music promotion would be a huge asset. **Nat moved to accept Jen Burton's resignation from the Tuesday Night Live Committee and to appoint Tom Moog to the Tuesday Night Live committee and the motion was seconded and passed.**

**8. *Support for LCPC Broadband Development***

Brian said LCPC is looking to do a broadband deployment feasibility study and could use a letter of support from the town. **Doug moved to submit a letter supporting LCPC submitting a grant application to the state's Broadband Innovation Grant program for the third round in May of 2020 for the purposes of a study on the most feasible options to deploy broadband in Johnson and in our region. The motion was seconded.**

Brian said we did receive a recommendation regarding this from the Broadband Committee. Vermont Electric Coop is also interested in applying for this grant so VEC and LCPC will be competing with each other. The Broadband Committee is more interested in what VEC comes up with. But whatever work LCPC does could be handed over to VEC when they are ready and could help them with their funding and grant applications.

Doug said there was a study done recently for the legislature that included a 260 page report. A large portion of it addressed coops. He doesn't know how this will turn out but Lea Kilvadyova of LCPC is working under a grant right now, sending out information every few days and providing good background to interested people. He thinks that is how we will get something done.

Eric said it is a good point that whatever information LCPC gets could be used by the coop. LCPC is very experienced with grant writing and administration. Are they more competitive because they are a government entity versus a private business? Brian said he doesn't know. Another positive aspect of supporting LCPC's application is that two applications from different sources will increase our community's odds of getting something. Doug said if he had to guess he would bet on VEC getting the grant. The last mile places tend to be on VEC's turf.

**The motion was passed**

**9. *Merger Study Update***

Brian said Kent Gardner will be here January 23, 24 and 27 to conduct interviews and review our research. On January 27 there will be a public hearing to solicit input on the merger study.

Kyle asked if board members should be at any of those meetings. Who will be meeting with him? Brian said he will mostly be meeting with heads of departments – highway, water, electric, fire, etc. – but hopefully will have time to meet with a couple of trustees and selectboard members. If there is enough time, all selectboard members could meet with him. It will depend on individual schedules. He will compile some financial data about departments for him. He is getting us lists of what he wants to see.

Mike asked if there is any way to see if he can get us a report before town meeting. Brian said it is possible that it could be done before then but the timeline on the contract is what we agreed to. Mike suggested asking him if it would be possible to have it for town meeting. Brian said he will be sure that he is aware of town meeting and let him know that would be a great opportunity to have a public presentation of any findings. Eric said if we get the report shortly before town meeting we won't have much time to review it. He doesn't think the

report will come with recommendations, just pros, cons and data that we have to look at. He doesn't see us having enough time to review it and come to conclusions before town meeting. Mike said we will be looking at a special meeting later this year then.

**Mike moved and Nat seconded to authorize Brian to sign the contract for the merger study on behalf of the town.** Board members said they think the board already authorized signature of the contract, but agreed to authorize it again just to be sure. **The motion was passed.**

***10. Light Industrial Park Update***

Brian said he and Seth Jensen are working on updating the grant application for the longer form of the EDA Grant. We will be applying for hazard mitigation funds related to the ice jam flooding. We are applying for an EDA grant for work on the light industrial park. We are applying because the industrial park location will move a significant portion of our economic base outside of the flood restricted area making the community more resilient to flood damage. Referencing that flood event gives us access to a particular pot of money. As mentioned in the board packet for the last meeting, the nexus statement we have was not particularly well received for the disaster declaration prior to the ice jam flooding event, so we will work off the ice jam flooding event.

***11. Review Old Business***

Eric asked if the derelict buildings notice was posted. Brian said yes. Eric asked if we have to post it in the paper. Brian said we sent the notice to the paper.

Brian said he has been in contact with Bor Yang about scheduling the racial justice workshop. January is not working either for her office or for us so he is looking for dates in February.

Kyle said the location is important. Are we thinking about having it at the elementary school? There was discussion about when the basketball season ends and when school vacation is.

Eric asked if we are anticipating more people than the municipal building will hold. Brian said we will be asking people to RSVP to get an idea but we are anticipating more. Eric said we should have a backup plan if the school is not available. Brian said there are a couple of other possibilities.

Lisa said the only days next month there are no recreation activities at the school are February 1 and February 29. Brian said he will try to schedule it for February 1.

***12. Duba Field Arboretum Project***

Brian said Sue Lovering had previously brought before the board a proposal for using Duba Field to build an arboretum. That prompted some research, done mostly by Doug, on the title and the town's easement. We also spoke with neighboring landowners. The project looks like it has the capacity to proceed. There really isn't anything standing in the way. Brian thinks it will be a good fit for that property. We can just have the arboretum and not have to consider dual use other than walking paths for enjoyment of the arboretum.

Sue Lovering said she talked to Jim MacDowell, who said the Studio Center wouldn't be able to discuss this for a month or two but they gave us conceptual approval. They have been

talking about having trails in that area anyway and they currently keep one trail there open. Jim didn't see a problem with extending an easement across their property. Bill Perkins offered to donate a bridge. We have approval from the Lamoille County Conservation District. The Tree Board had a meeting to make some plans on Thursday.

Sue asked if the town mows that property now. Brian said yes. Sue asked if the town will continue to mow it. Eric said that would be a decision the board would make when we go out for mowing contracts. It probably would be more expensive to mow it if the contractor has to go around trees.

A community member asked if there was talk of having a dog park there. Brian said Duba Field was also suggested as a location for a dog park. There appears to be a lot of momentum behind the arboretum use.

Doug asked when the grant application for this project is due. Sue said January 17.

Doug said he and Sue met with Bill and Eileen Perkins. Bill Perkins is excited about this. He has a heavy duty aluminum loading dock used as a bridge and he is willing to let us have that and put it wherever we want. We have the deed that has an easement, but when the former town offices were conveyed to the Studio Center a walking path was reserved. There are two more Studio Center properties and then the Perkins property. Bill Perkins is delighted to have an arboretum there and he talked to his neighbor Carlton Torrey and said he was interested in the idea. Bill thinks an idea that the Planning Commission had previously discussed about a walking path coming out to Route 15 would be a lovely idea in the long term.

**Kyle moved to support the Tree Board's grant application to establish an arboretum on Duba Field, Mike seconded and the motion was passed.**

***13. Vermont Emergency Management Recognition***

Brian said Vermont Emergency Management sent us a certificate to thank us for participating in the recent Vermont Task Force state exercise. It was addressed to Eric but Nat led that program so we were thinking of awarding it to Nat. **Doug moved to present the certificate for participating in the Vermont Task Force state exercise to Nat, Kyle seconded and the motion was passed.**

***14. Recent Mail***

Brian said we have received a request to put an article on the town meeting warning that would say that we support completion of the Lamoille Valley Rail Trail and encourage the governor and legislature to develop a plan for completing it by 2025. Development of the rail trail has slowed down and Friends of the Rail Trail are trying to speed it up again. They are asking communities that use the rail trail to adopt a resolution. There was consensus that this resolution should be added to the warning. This will be brought up again when the board is developing the warning.

Brian said the lot rent is increasing at Katy-Win, where we currently own a mobile home. Nat asked if we are heating the mobile home. Brian said no. Nat asked if that is okay. Mike said it hadn't been heated for the last year before we owned it.

Brian said the trailer will be auctioned off on January 20 at 6:30. Two people have expressed interest so far. In answer to Eric's question, Rosemary said the taxes owed total about \$5,000. Mike said we will get the amount we have paid in rent back when we sell the trailer. Brian said we may; we are auctioning it. Mike said we need a minimum reserve amount. Eric said if we are owed taxes of \$5,000 he feels we will be lucky if we are made whole. Mike said we had someone interested in paying all the taxes before we realized we had to go through an auction. We could have sold it and got all we were owed. Eric said we had to abide by the rules. Mike asked if there is a state requirement to go out for auction. Brian said no, but our attorney recommended an auction as a way to decide between multiple offers because we couldn't establish who had made an offer first. Offers were made to different people. Mike said if he had been asked when an offer was made to him it would have been easy to determine who was spoken to first. It will really irritate him if we don't get our money back. He feels that for the next one we need to tidy this up so we don't get into the same situation.

**15. *Communications Union Districts***

Doug said there is legislation in the state that allows towns to form communications union districts. These are one means of funding broadband. Dozens of towns are having this on their town meeting warnings. We probably need to look at it. Lea said if we were a founding member of a district the district would need a name for the warning. If the town wanted to join an already formed district a vote to do that could happen at a regular selectboard meeting. In order to have an article on the warning related to a communications union district there would have to be rapid action between now and the time when the warning is generated. The advantage of a communications union district is that it is not the town's assets that are put up as security, so there is no liability to the town. The private sector buys bonds. Many towns are moving to have communications union districts, much like fire districts. Rob Rodriguez doesn't think communications union districts are the way to go.

Kyle asked if any other Lamoille County towns are doing this that Doug knows of. Doug said it is unclear because some information about the Northeast Kingdom includes towns in the northern tier of Lamoille County but that doesn't necessarily mean they are in a communications union district. After a district is formed he thinks if another town wants to join it they need permission. This is a rapidly evolving way to fund broadband without pledging town assets.

Kyle asked why he thinks we were left out of that conversation. Doug said we haven't done our work. Johnson isn't ready. Some other areas had fiber optic lines that allowed them to easily create districts and we don't have that infrastructure. We are supposedly 70% served by Comcast. But he thinks the current minimum standard for broadband (25 Mbps down/3 up) will soon be insufficient and we don't have anywhere near that standard even in some places that are supposedly served. We need to work on this.

Eric asked if our broadband committee should be pursuing this. Doug said he doesn't know. Rob thinks it is not the way to go. Mark Woodward is interested in Vermont Electric Coop providing broadband and Doug thinks there is interest in the state in allowing that but VEC has work to do to figure it out.

Nat said Rob's position is not necessarily the position of the whole broadband committee. There are different voices on that committee, which he thinks is healthy. He thinks we should run ideas related to broadband through that committee and get recommendations from them.

Brian said he doesn't believe the committee has met since it gave its report to the selectboard. We could ask the committee a specific question and that might spur activity.

Kyle asked who their chair is. Brian said Rob Rodriguez and Charlie Gallanter were co-chairing. He thinks we could help them by clarifying their ongoing role and what they can do now. They investigated what was available now and whether any broadband provider could come in now but they weren't really looking at a long-term solution. We could give them as a goal that we need them to do research on that.

Doug said he thinks we need to have a global look at this and look at whether partial solutions will help or hinder the long-term solution. It is hard to know yet what the long-term solution will be. Dan Noyes, Matt Hill and Charlie Gallanter have been to some of the meetings in Hyde Park that Lea has been organizing. They have had a representative from the state there. Our broadband committee has not really been a part of that. The committee has not been thinking about the broader community or communications union districts. He doesn't know if they should be.

Eric asked what Doug is suggesting should be done. Doug said he thinks we ask the broadband committee for direction on how we get to an end point with the options that are available. Nat asked if we should invite them to the next meeting or ask Brian to take that direction to them. Brian said he thinks he can take it to them. Eric agreed that would be the best approach.

Doug said he thinks we are too late to get something on the warning related to a communications union district but he thinks it is good for us to know that we are too late and that we should get started.

#### **16. *Inclusivity Sign and Foyer***

Nat said the last time he asked Jasmine Yuris about the inclusivity sign she said it was going somewhere to get treated and when he drove by the next morning it was on someone's truck. Jasmine might have information about where it is now. Kyle said we need to make room for it in the foyer. There was discussion about moving the cow sculpture that is taking up space there now. Brian said it can go outside. Kyle said it is treated to be outside. Brian said we could ask the village about putting it on the village green or we could put it outside the municipal building. Mike said he thinks the village green would be a good location.

Lynda Hill asked about getting into the building on weekends to work on the foyer. Brian said he can make arrangements to get her keys for the foyer part of the building.

Brian said he will see if the village is willing to let us locate the cow on the village green and he will talk to the public works crew about how the cow can be secured so it will not tip over.

Lynda asked if the brochures, etc. that are in the foyer now need to stay there. Brian said anything outdated can be thrown out. He moved all the employee information inside the office. There should not be anything in the foyer now that is legally required.

### **17. Budget Update**

Brian said he has received budgets from all the town committees. We have been informing outside groups that if they are requesting an increase they need to circulate a petition. Rosemary said we got petitions for some groups that have not been funded in the past but have not yet received any for increases for existing groups. Brian said five or six groups have asked him about the process for requesting an increase.

Eric said we need to pull funding from the budget for groups that are going to put in petitions for increases. Brian said his plan was to leave the old amount in the budget with the idea that any article would amend the amount. Eric said a town meeting article does not amend our budget so in theory a group could be entitled to both the amount in the article and the amount in the budget. Historically we have taken funding for those groups out of the budget for that reason.

Brian said right now in this budget draft our total budget is up by 2.8%. A substantial increase is coming from things we have no control over. Public safety, which is over a quarter of the budget, is going up 4.4%. NEMS has a 13.3% increase. The law enforcement patrol budget is up 3%. Dispatch is level funded. Fire is going up 3.7%.

Nat asked about the cause of the NEMS increase. Doug said part of their increase is due to a conversion related to switching to a different accounting period. He thought about half the increase was related to that. Net said he doesn't understand how that translates into a 13% increase. He would like more information.

Lynda asked how much of the NEMS budget Johnson funds. Brian said they work out a per capita rate and what we pay is based on the number of people in Johnson. Linda said they also get insurance reimbursement. Eric said the reimbursement they are getting is decreasing, so our share of the cost is increasing. He noted that the percent increase we are seeing would be the same for other towns, though the specific amount they pay depends on their population.

Eric said one huge item in our priorities that affect the budget is the gravel pit. Is there something in the highway budget that addresses looking at a new gravel pit or having to start purchasing gravel? Brian said we have been increasing the amount budgeted for gravel and stone and it goes up a little in the next budget year. Eric said we don't have money for when we have to reclaim the pit. Brian agreed that we don't have reserve funds for that. Doug asked, if we haven't reclaimed the current pit when we acquire another one, is it possible our acreage could exceed the exempted amount? Brian said yes, we could end up exceeding the municipal exemption acreage while closing down one pit. Our argument would be that we are not operating two pits. Eric said we don't have a firm idea how much gravel is left. Brian agreed. He said at some point it will be too much work to get stone and gravel out. We will get to that point before we absolutely run out.

Eric said in 2018-19 the actual amount spent on sand was \$56,000. We are estimating \$38,000 for 2019-20. Does anyone remember why? Brian said 2018-19 was a long and icy winter. We had to buy new loads several times during the year when it wasn't planned. Going into this year we had a relatively high stock of sand available. We are thinking we might need one more load but it is not likely we will need multiple loads.

Brian said he is estimating the salt budget will be up somewhat because the price of salt is rising fast. It will be worth talking about possibly using brine in the future. That could be cost-effective.

Eric asked what piece of equipment is slated to be replaced in the upcoming year. Brian said the schedule calls for replacing the screener for the gravel pit but he anticipates putting that off for a bit. The state is pushing us to no longer use screened gravel. They want us to use crushed gravel. Less of the crushed gravel washes away. But having some fine material in the gravel helps make a firm road bed. Mike said the gravel we currently use can be hard on tires. Brian said in the Municipal Roads General Permit we agreed to only use processed gravel on roads from now on. We got the state to agree to change "crushed" to "processed." Eric said we have to weigh the cost of getting the gravel out ourselves and then paying to have it crushed versus buying crushed gravel.

Nat said line 150 on general insurance seems to have gone away. Brian said he will have to double-check that.

Mike suggested projecting the budget on the wall in the future so that people who come to the meeting can see it.

Brian said line 150 should be populated and it looks like there is a typo in the end-of-year amount. There is no change in insurance for the current year.

Brian said the Tuesday Night Live budget will be broken down into multiple lines rather than a single line to give more detail but TNL will continue to be self-funded. The town will not contribute. The bread oven has been doing more fundraising. Their budget will have multiple lines but incoming and outgoing lines will match.

Eric asked why interest on the light industrial park is so far off from the estimate. Brian said he and Rosemary will be looking at that. Rosemary said she thinks the end-of-year amount shown is too high. It is \$4,200 but she thinks it is closer to \$2,700.

Eric asked, there are no capital projects planned under summer roads? Brian said we have to reach out to the Better Roads program and get feedback on when we might hear about Better Roads funding. He would like to include Better Roads projects in the budget if possible. Eric asked if we should add something for Rocky Road. If we do a project there we would have a match. Brian said we probably should estimate what we will spend on Rocky Road and put that into the budget.

Brian said we had planned on taking \$25,000 out of the reserve fund to pay for a portion of the work on this building. We might want to take more than that to cover the overage on this building and the unanticipated cost for work on the Holcomb house.

Eric said at the next meeting the board will go through the budget line by line.

Nat asked why the amount going into the large equipment capital fund is increasing so much. Brian said that is based on the prescribed plan. Eric asked why the increase is so high if we are not anticipating a purchase. Nat said that is something to look at.

Eric said the next meeting will be next Monday. It will be dedicated to the budget.

**18. Adjourn**

The meeting was adjourned at 8:56.

*Minutes submitted by Donna Griffiths*

UNAPPROVED