

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, OCTOBER 7, 2019

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Rosemary Audibert, Rob Rodriguez, Robin Story, Lois Frey, Charlotte Reber, Scott Meyer, Kim Dunkley, Margo Warden, Shona Sladyk, Jackie Stanton, Cal Stanton, Sophia Berard, Sue Lovering, Howard Romero, Jen Burton, Anne Mullings

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

Nat said we agreed that this meeting would be strictly for setting priorities. He would like to strike the Project Prioritization item and not try to jam it into this meeting. Eric said he will add discussion of a special meeting. Brian added discussion of an estimate for tree removal on Cemetery Road.

3. Review and Approve Minutes of Meetings Past

Kyle said in the September 16 minutes she would like to have the discussion in item #12 written out verbatim. The board agreed to that. (*Lois Frey arrived. Charlotte Reber arrived.*)

Doug moved to approve the minutes of September 23, 2019 with the changes suggested by Walter Pomroy and the addition of "by phone" to the sentence telling when Matt Young joined the meeting. Kyle seconded and the motion was passed.

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

Rosemary said we got two bank quotes for the loan for the tandem truck. Community National Bank offered an interest rate 2.2% for 5 years with yearly payments totaling \$32,008.72. Union Bank offered 2.4% for 5 years with yearly payments of \$32,194.

Kyle moved to authorize taking out a loan for the tandem truck from Community National Bank at a rate of 2.2% for 5 years, Mike seconded and the motion was passed.

5. Broadband Committee Report

Rob Rodriguez said no movement has happened with the pilot program. He met with Brian about using revolving loan fund money. The committee signed up interested people within a 4-mile area near the pilot project. MC Fiber would like to do all four miles. The committee is looking for funding to complete the other three miles in addition to the one mile pilot project.

Robin Story said the committee voted not to take an official stance on the test mile. They don't know if this is the way they want to go ultimately. They don't know if they prefer a private solution or something municipally owned. But they are interested in seeing how the company performs on this test mile. The committee's purpose is to provide last mile service reaching every house in Johnson. If MC Fiber decides on their own volition to move into Johnson, that is great, but they may not provide last-mile coverage and the committee's mission is to do that. Probably the only way to get last mile coverage is through a district solution or the town contracting with a company and subsidizing the cost. Or there is a law

that may be repealed, which would allow Vermont Electric Coop to be an internet provider using their existing poles.

Rob Rodriguez said MC Fiber has provided a proposal to provide service to the whole town. They asked anyone who wants to view the proposal to sign an NDA. (*Scott Meyer and Kim Dunkley arrived at 7:14.*) They are open to different solutions. There is no regulation of internet service so they are free to provide service in the town. One concern about MC Fiber providing service without having a contract with the town is that they have said they aren't interested in competing with Comcast. So people who currently have Comcast would not have a choice. People would either be able to get fiber or Comcast but would not have a choice between the two. Robin said at the last couple of TNL's committee members helped people take the committee's survey. They want to get the opinions of townspeople about whether there is interest in a municipal option and what people value.

Brian went over a survey from LCPC. They are asking towns what services they are interested in. One thing they ask about is support for a broadband committee. Brian asked the committee members if support from LCPC would be helpful. Rob said it might be, but there are very few grants available. Robin said Comcast covers too much of our area for us to be eligible for grants. Rob said LCPC could come to a meeting to talk about funding opportunities.

Another question is whether we are interested in having LCPC help with development of a broadband survey. That has already been done by the committee. They ask if we are interested in having them provide maps showing existing service. The committee members said they have those maps. They ask if we would be interested in having them do interviews with service providers about their plans. (*Margo Warden arrived at 7:20.*) Rob said he and other committee members have talked to service providers and they think they have all the information. He doesn't feel we need that from LCPC.

LCPC asked if we would be interested in a feasibility study. Robin said she thinks potentially. Charlotte Reber said she thinks we are not that far along yet. Robin agreed. Brian suggested that we say yes but we think there are steps in between where the committee is now and doing that study. Rob said he doesn't think we are there yet. He thinks interested providers will do that for us. He feels it is a waste of time. Robin said the committee is divided. Some are concerned about last-mile commitment without municipal involvement.

LCPC asked if we are interested in information about union districts or other information. Doug asked how we expect to get that last mile commitment. (*Shona Sladyk arrived at 7:23.*) Robin said if MC Fiber gets a foothold it gets harder to reach the last mile. There are issues if the town subsidizes the service for people on the last mile but not other people in the town who got their service from the same provider. Do we take the position that the town will become a gatekeeper to ensure that all get broadband coverage? Maybe we would pay a provider up front and have a contract that says they have to provide service to all houses.

Doug asked how the survey will help the committee decide. Robin said one question on the survey was whether people are willing to pay to get broadband. It also asks if they value

having a town-owned solution and if they value net neutrality or privacy. If a utility were owned by the community the community would have greater input into how it treated customers.

Doug said it seems that if a new provider moves into the area, that reduces opportunities. Robin agreed. That is what happened with Comcast. Doug said it is probably important to make a decision soon. (*Sophia Berard and Jackie Stanton arrived at 7:29.*) Rob said he doesn't know if we can control who is selling internet service. There is no law against any ISP selling service at any time. There are about 400 residences that don't have access to Comcast. (*Sue Lovering arrived at 7:30.*) Rob is more interested in getting those people service than helping those who already have high speed internet. From a financial standpoint it also makes sense to focus on those who do not already have broadband. A small company can't start building on Main Street. Another option is to set up a district, but we would still have to subcontract out unless the town formed a company with trucks and employees. (Howard Romero arrived at 7:32.) It seems unrealistic to have a municipally owned ISP.

Doug said he thinks it would be good for board members to sign the NDA and look at the MC Fiber proposal in executive session. Rob said he will send the board the NDA.

Eric said if it were cost-effective to provide service to the last mile, Comcast would do it. How will MC Fiber make money serving those areas? Rob said Comcast wants 16-19 customers per mile. MC Fiber's cost per mile is less. They need 6 customers per mile – 4 or 5 to cover their cost and the rest to pay their investors back. They used to be part of EC Fiber. They are basing their numbers on EC Fiber's experience, so they should be realistic. (*Cal Stanton arrived at 7:35.*) Their cost per mile is less than Comcast. But they would have to pay more for pole licenses in more heavily populated areas, increasing their cost. Consolidated will bring fiber to the whole town and so will Comcast or MC Fiber, if the town covers the whole cost. MC fiber offers a variety of options such as the town owning the network or MC fiber owning the network. They are willing to work with us.

Doug asked if Rob is the only one on the broadband committee who signed the NDA and saw the MC Fiber proposal. Rob said as far as he knows he is.

Rob said the cost of bringing service to those 400 people who do not have high-speed internet now is around a million to a million and a half dollars.

Kim Dunkley asked, didn't the state just make an announcement regarding broadband? Rob said that is only for LCPC to do the kind of thing this committee is doing.

Robin said if we just deliver a customer base to a company then we have no control over price increases in the future. With a municipal option we would have more control.

Nat said he wants to be sure signing the NDA is okay under open meeting law. It seems that it would fall under the category of things where premature public knowledge would put the town at a substantial disadvantage. Eric asked if signing the NDA precludes looking at

proposals from other providers. Doug said he wouldn't think so. (*Jen Burton arrived at 7:41.*) Rob said the NDA precludes sharing the information with competitors.

Nat said he thinks people on the broadband committee know more than board members and it would be more effective for them to read the proposal than for the board to read it. Doug said he would want to meet with the committee to discuss the proposal. Robin said the committee will get the survey results together soon. Doug said he thinks they should bring that information to the meeting along with the proposal. Rob said they can probably come back to the board sometime in November. (*Robin and Rob left.*)

6. *Lamoille Valley Veterinary Services Charges*

Brian said in September LVVS took in a dog for us. It had no tags and we could not find the owner. It was in poor condition and it was suffering so we ordered it euthanized. The vet chose not to euthanize the dog and was able to save it. It has been given to Justice for Dogs. LVVS has asked if we would donate the amount we would have spent for euthanasia (\$106) to offset the cost of rehabilitating the dog.

Nat moved and Kyle seconded to donate \$106 (the cost of euthanasia) to LVVS to offset the cost of rehabilitating a dog in lieu of euthanizing it. Eric said the only concern we might have is that we had issued an order to be carried out and they on their own decided not to carry it out. That is not the way they should be operating. Doug suggested they might have been acting in accordance with a duty under their license. **The motion was passed with Doug recusing himself.**

7. *Contract for Merger Study with CGR Available*

Eric said he contacted Gordy with the suggestion that the selectboard should approve the contract sent by CGR after legal review unless we heard anything back from Gordy, which we did not.

Mike asked our attorney's hourly rate. Brian said it is \$175.

Kyle asked, the contract starts November 1? Brian said the contract starts then but the work will probably actually start the second week of January, after Meredith is back. That seems best for CGR's schedule and ours.

Brian noted that this is a contract between the town and CGR. If the village is okay with that, it is probably convenient to have a single point of contact. Eric and Mike said they think the village should be included on the contract.

Brian said Section 12 of the contract says the agreement is governed by the laws of the State of New York and the venue for resolution of disputes is Monroe County, New York. Doug said it would be more expensive to resolve a dispute in New York. He would ask our lawyer to look at Section 10 that says the contract can be terminated on 30 days notice. What are the grounds for termination and what money is owed then?

Mike asked how long it will take the lawyer to check the contract – a couple of hours? Doug said it might be a couple of hours. Then the lawyer would need to write up alternative language.

Brian said he thinks we should change the contract to say dispute resolution will take place in Lamoille County, Vermont. Maybe in the end we will negotiate a place in between here and Monroe County, New York but he definitely thinks it should be in Vermont. All the work takes place in Vermont so resolution of any dispute should also take place in Vermont.

Kyle suggested changing the start date to align with when we expect work to actually start. Nat agreed the contract should explicitly say when work will start.

Scott Meyer asked, are there two contracts, one for the town and one for the village? Brian said he is not aware of a village contract. Eric said the contract is for \$10K, the total amount paid by both the village and the town.

Scott suggested that to save money it might be beneficial to have the trustees review and comment on the contract before it is sent to the lawyer for revisions. Eric said he gave the opportunity to Gordy and he never heard back from him. Scott said the trustee board hasn't talked about the contract and he thinks they should. Eric said he thinks it makes sense for the trustees to review it before it is sent to the lawyer. They may identify something else about it that is a concern. He asked Brian to share with Gordy what was discussed at this meeting. Mike asked if Scott is thinking the town and village will split the cost of the attorney. Scott said yes. Brian said he will send a copy of the contract to Gordy with our comments. Scott asked for a copy to be sent to him as well as he is vice chair.

8. *Racial Justice Workshop*

Brian said Eric got a referral from Rich Westman to the State of Vermont Human Rights Commission. He spoke to their director, Bor Yang. They can conduct a training for a recommended donation of \$200. Bor had good ideas about a program for us covering implicit and explicit bias. It would involve demos and setting up a public forum with time to come together for a listening session. There would be another opportunity the same day or a different day to come back for a session with more engagement.

Brian reviewed the other options we have. One is the Peace and Justice Center. (*Anne Mullings arrived at 8:01.*) They have a number of trainings, starting with one on implicit bias that comes well recommended by those who have attended. The Center for Fairness and Diversity has a number of trainings. Curtiss Reed is their director. Brian liked his description of a program centered around what we gain by diversity and eliminating bias. His organization was recommended by VLCT. Kesha Ram and her partner were recommended by Greg Stefanski. They have a wide variety of options. They would make a much more customized program but their price is the highest. He didn't think they were likely to be the organization we would choose since their price was \$1000 higher, so he didn't want to ask them to take time to draw up a detailed program. Another option is Offie Wortham, a local resident. He has a great deal of experience with civil rights and diversity. His organization is the TransCultural Institute. He is offering to do a program for us for \$200-300. He is very interested in helping us with what we want to do. Brian liked the conversation he had with Bor Yang. Even if we choose something else later he thinks her program would be a good starting point. It is affordable. He doesn't have a write-up from her.

Kim Dunkley said Vermont Humanities sometimes does a program for free. Has that been looked at? Brian said he mostly went off recommendations. There are a lot of people offering programs and it is hard to evaluate them unless we know someone who has heard them speak.

Kyle asked if Brian had been able to get more information on Offie and what he has done – testimonials, etc. Brian said yes. He got a little more information from Offie. He wasn't able to get any testimonials. He and Offie talked about a program we could put on. Offie can discuss what racial, ethnic, or diversity problems and questions we have in Johnson and what we can do in our community and schools to address polarization, tension and diversity. He was able to describe a pretty good program. He would get people together to hear speakers and then break the group up into discussions. Everyone is describing a similar format.

Margo Warden asked what the explicit objectives of the program are. What are we trying to accomplish? That helps choose the speaker.

Jackie Stanton said she had worked with Brian and Kyle and they had discussed using Peace and Justice. They are well respected. They have a workshop called Seeing and Disrupting Racism. It is about how to identify racism and then disrupt it. She felt it was a great workshop. It was put on by 3 people. The Founder of Good News Garage was one of them. He has been on Oprah. He is a State Representative. The workshop she went to was put on by him, a Native American woman and a white woman. They are very thoughtful in how they do the workshop. They would never send out just one person. They understand how difficult it is to talk about racism and they are prepared for that. It would be against best practices to send out one person. They have a website with extensive descriptions of their workshops. The original intention for this workshop was to identify what racism is and then disrupt it.

Doug asked who the audience for the workshop is – the board? Jackie said sure. Sophia Berard said she thinks the intention was for the community to be the audience. Jackie agreed.

Shona Sladyk said it is better to have the workshop put on by a more neutral entity rather than someone connected with the town.

Kim asked the cost of the Peace and Justice workshop. Brian said \$1500. Eric asked the cost of all the options. Brian said the Fairness and Diversity one costs \$2000. Offie would charge \$200-300, whatever we are comfortable donating. Bor Yang would ask for a donation of \$200. Kesha Ram and her partner would charge \$2-3K.

Kim asked if anyone has looked into whether a grant is available. Brian said he doesn't think Stowe or Morrisville were able to obtain grants for similar programming. Kim asked if anyone checked with LCPC. Brian said he didn't. Eric said the Stowe and Morrisville programs were not town sponsored; this would be. Kim said she thinks grants are worth looking into. That could help the town get quality.

Margo said Peace and Justice's price is on the lower end. Two people in the room went through their training with good recommendations. Has there been discussion on that? Eric

said the board has discussed it but not decided. Kyle said she made motion at the last meeting to use Peace and Justice but it died for lack of a second.

Scott said this is an emotional topic. If one person does the workshop there is a risk that there may be people in the room who do not see eye to eye with that person and will lock up and not pay attention. He has been to these trainings. With multiple presenters, there is usually someone you can connect with. He would encourage a minimum of 2 presenters. Margo agreed.

Mike asked how many presenters would be provided by the group recommended by VLCT. Brian said we would have to give them an estimate of how many would attend. The number of attendees would not substantially affect the cost. He thinks most of the groups, except Offie, would tailor the number of presenters to the expected audience. Peace and Justice Center has done their workshop quite a few times. We are pretty clear on what they can offer. The others would design a program for us. We would have some back and forth conversation about who would attend, goals and outcomes. They would decide at that point how many and which of their team to send. He didn't spend a lot of time with them because there didn't seem to be a big appetite for spending \$2-3K.

Doug asked if we can use Front Porch Forum to find out how much interest there is in attending and when people are interested in attending. Nat and Kyle said there is clear interest. Doug said it is not clear how large a body is interested. He would like to see 40 or 50 people there. He suggests getting some publicity out beyond word of mouth to see if we can draw in a bigger crowd.

Sophia said it sounds like Peace and Justice has a pretty complete package. They just show up with multiple presenters and have a low cost and we don't have to poll people to find out how many will attend. No matter what the number is, they are ready. It seems like choosing Peace and Justice is a no-brainer.

Jackie said the workshop she attended must have had 40 or 50 people. It was put on by a couple of churches and a library. She doesn't remember a big call out.

Doug said a number of selectboard members have said that if Peace and Justice runs the workshop they won't attend because of Peace and Justice's politics. He thinks if there is enough interest he would favor Peace and Justice. He thinks they would do a good job and he can separate that from politics. If we had expressions of interest from our community that might help us decide if we are running this for the board or the community. Jackie said she would love board members to attend as community leaders. There have been a couple of incidents the board has been presented with that haven't gone well.

Cal Stanton asked if there is a political piece to the workshops. Kyle and some others said no. Cal said he thinks people could separate out politics. Peace and Justice seems like the most credible organization. It seems that we have the most information on them. Some people may be more concerned about being uncomfortable. He expects to be uncomfortable. He feels people should focus on the issue, which is about behaviors, not people. He feels it is

important to see past a political agenda. The workshop is about recognizing racial bias and disrupting it.

Kim said she agrees and she also agrees with Doug that it is important to publicize the workshop.

Kyle said Jeffersonville has done one of these workshops and Morrisville is about to do one.

Anne Mullings said she feels like comments just made are shaming some of the selectboard members into going with Peace and Justice. She won't even watch a movie that has Jane Fonda in it because of her politics. People have a right to their opinions. If the wrong people are giving the program, it's not the best program.

Cal said he was just suggesting that Peace and Justice is the most credible. They have been around a long time. Their workshop is in line with our inclusivity statement on rejecting racism. He believes that is the impetus for all of this. Personally, his interest was in the "reject" part of the statement. It is about rejecting behaviors, not people. His comment wasn't meant to shame but he thinks it is important to look at what we want to accomplish.

Shona said a potential problem is that the workshop will be speaking to the choir. How do we get people to come who may really need a workshop like that?

Anne said the people who really need to come to it are not going to come to it. A lot of people in town feel like the inclusivity statement was pushed down their throats. They feel it wasn't necessary in this town.

Margo said she is finding as she gets older how much more there is for her to know. She feels she needs a workshop like this to become more knowledgeable and accepting and a better member of this community. She feels we all need to go. For those who are hesitant, we can keep extending the invitation.

Anne said she agrees we all can benefit from education. She faces racism every day in her home. It's there. But a workshop won't change the way people feel. People are what they are. What bugged her about the inclusivity statement was that it felt like it was being pushed down peoples' throats but the same people have pushed against Dollar General and Viceland. How can you say everyone is included but push people away and attack businesspeople in town because their politics are different from yours? You can't pick and choose.

Nat encouraged people to stay on the topic of the racial justice workshop. This is about which workshop we are going to have.

Kim said the workshop will give us strategies. If everyone doesn't attend, those who do will get strategies to work with others. She would be willing to call LCPC and find out if they could help us with finding a grant or if they have any money to help fund a workshop. Brian said he can follow up on that.

Nat said he liked the comment about speaking to the choir. He would like to at least get everyone from our board to the workshop and also invite people from the community. That is why the board didn't go with Peace and Justice at the last meeting – because some members of the board wouldn't go if the workshop were done by Peace and Justice. He thinks we should decide tonight on a workshop by the Human Rights Commission, Peace and Justice or the Center for Fairness and Diversity.

Brian recommended the Human Rights Commission. He said they are very affordable. They are a neutral party, a state organization. Their director is very well qualified and can give us the presenters we need. There is no reason to doubt their ability to do this. He doesn't think the conversation begins and ends with one meeting. The Human Rights Commission is a good starting point.

Scott asked if the Human Rights Commission would have more than one presenter. Brian said they have multiple people available but we would have to give them the number of expected attendees. Scott said he thinks even if there are only 5 people there should be more than one presenter. Brian said they have not made that commitment to us.

Jackie said she feels it is important that all board members go. She said Anne had mentioned that she felt the inclusivity statement wasn't necessary in this town. There has been another public incident where people were harassed and threatened. The Lamoille County sheriff was involved. She will write a letter and ask the board to take action. This is the third public incident that will be brought to the board. Anne said she sees it; she is married to a black man.

Shona asked if Brian knows where the Human Rights Commission has run workshops before. Brian said he doesn't know. We wouldn't be the first. Eric said they have been in existence for decades. Brian said Rich Westman told Eric he has attended a Human Rights Commission workshop and he highly recommended Bor.

Mike moved to ask the Vermont Human Rights Commission to put on a racial justice workshop in Johnson, seconded by Doug.

Nat asked if all board members would go. They indicated they would.

Cal asked why there is apprehension about Peace and Justice. Mike said he doesn't agree with their stand on redistribution of wealth or their desire to disband ICE. It was suggested to try to step back from that, but it is still part of the organization. If we are contributing money to an organization we are furthering what they are trying to accomplish. That is why he felt uncomfortable about using Peace and Justice.

Cal asked, are you aware of the Human Rights Commission's stances? Mike said if they came with high regard from Rich Westman, that carries weight with hm.

Kim asked if it is possible to require all employees to attend. Eric said probably not, because it probably would be outside their normal work hours.

Mike said the selectboard tries to look after they money of the town. The \$1500 cost of the Peace and Justice workshop vs. \$200 for the Human Rights Commission is also a consideration. And the Human Rights Commission also comes with good reports.

Brian said he feels we would get good value from the Human Rights Commission.

Anne said she plans on going to the workshop, but she has worked here 20 years and other employees have also been here a long time, and they have never had a complaint from anyone that they were other than courteous. Kim said she just feels it would be great to get as many people as possible to the workshop and to encourage town employees to come get on board.

The motion was passed with Kyle opposed.

9. Legion Field Bonfire

Brian said a bonfire on Legion Field to celebrate the last community bake was approved for tonight but the event got rained out. There is a request for a bonfire on Legion Field for October 14. (*Shona, Cal and Jackie left at 8:40.*) Nat said it will be in a fire ring. **Nat moved to approve the request for a bonfire on Legion Field on October 14, Doug seconded and the motion was passed.**

10. Special Meeting on Project Prioritization

Eric suggested a meeting on October 14 to discuss project prioritization. (*Howard Romero, Kim Dunkley, Sophia Berard and Scott Meyer left.*) The board agreed to meet on October 14 at 7:00.

11. Temporary Animal Control Assignment

Brian said we are temporarily working with Hyde Park animal control and the sheriff's department has lent some assistance. Tracy Myers finished her leave and is back working for us. She wants to get back to work. At a future meeting the board will have to have Tracy resign as deputy health officer and be assigned as lead health officer. The Board of Health only accepts health officer changes once a month so Eric is the lead health officer for the rest of the month. We will post the open position. (*Jen Burton left at 8:44.*)

Nat said it is a huge loss to lose Sharon Duffy. She did a great job for the town.

12. Municipal Office Cleaning Contract

Eric recused himself from the discussion because of a relationship involving his family member. Doug took over as chair for this item.

Anne had sent a letter to the board with her concerns. Brian said Anne had been doing the municipal building cleaning for a little over a year. She did an outstanding job and addressed a number of things that hadn't been addressed in a long time. When Anne was filling in, it was temporary. It was not part of her job description, just something she was willing to do for extra hours. When the library custodian retired it seemed like a good opportunity to combine the jobs for more hours and hopefully attract more interest. We wrote up a job description and request for applications. His recollection was that Anne wasn't sure if she was interested or not and didn't think the number of hours estimated was sufficient to do the work. When we received the Lettieris' proposal Brian let Anne know about it. He misread

the total amount they would charge as \$150. His intention was to help her reach a decision about whether to apply but he inadvertently helped her make a decision she might not otherwise have made. Their proposal was actually \$45 per week for the library and \$150 for the municipal office and garages. At that rate, Anne may have been interested.

Doug said Anne's letter indicates she hopes to right a wrong. He asked what she is looking for in terms of righting it. Anne said she had asked Brian, you are going to pay for 7 hours at \$21 per hour at the most? He said yes. She said the work couldn't be done in that amount of time. When she heard the Lettieris were asking for \$150 she wasn't upset but then she read the amount was actually \$195. She called Brian up and asked they were getting paid \$195 and he said no. She is not saying he gave the wrong information intentionally. She feels it was a mistake. Then he called her into his office and said he was wrong and the amount is \$195. She wants her old job back. If the Lettieris want to do the library and shop, they can do it.

Nat asked, we have a contract with the Lettieris? Brian said the contract has no dates. We can presumably terminate with reasonable notice.

Brian said the Lettieris wrote the wrong total on their proposal. They left out the library, which we had asked them to separate out. Brian was out on vacation and Rosemary dealt with the contract. She correctly understood that the total was \$195. Anne never saw the minutes with the correct total until last week.

Doug suggested sending Anne's letter and the proposal from the Lettieris to our attorney and asking him where we stand. For instance, how long does our agreement with the Lettieris run for? Nat said it does not obligate us to any particular duration of time. Doug said he wouldn't hazard a guess on that himself. Mike said he feels we probably should have our attorney look at it.

Anne said she wants to know how the board feels about having her do the work. She would like the board to tell her now if they don't want to go with her. Doug said he doesn't think there is any question about the type of job she did. The question is what options we have. It is not a question of who would do a better job. He felt Anne's work was a substantial upgrade to the prior situation.

Nat said in terms of righting a wrong, Anne makes a great point that big mistakes were made. There is a wrong there. But on the other hand, accepting a bid now after the Lettieris' bid was opened is not fair to them. Anne said they weren't given the same information she was given. She said the work couldn't be done in 7 hours. Nat said now Anne has the advantage of seeing what their bid was. If we had done it properly we would have had two bids from bidders who hadn't seen each others' bids.

Mike said he was working under the assumption that Anne didn't want the job. Anne said she did but she knew she couldn't do it in 7 hours.

Nat moved to send the matter of the cleaning services contract to the town's attorney for advice, Kyle seconded and the motion was passed with Eric recusing himself.

Anne asked if she can request that getting the attorney's advice be done for the next meeting. Brian said he can't control how quickly the attorney gets back to him but he can send it out immediately. (*Anne left at 9:01.*)

13. *Estimate for Tree Removal*

Brian said he has asked a few people for bids on removing the dead tree in Plot Cemetery but they have declined to take on the job. It isn't possible to get power equipment near the tree and it will be easy to damage gravestones while removing it. It is a large dead tree about 20 feet off the road in the middle of the cemetery with no place to put it down. It will be difficult. Michael's Tree Service is interested in removing the tree. They are estimating a cost of \$2-3K. It will come down before long. It lost a few limbs in the rain storm this weekend. Brian recommends taking it down.

Kyle asked where the cost comes from in the budget. Brian said it will come from the cemetery line item. We will likely need to spend more than just the cost of the tree removal. It almost certainly will do some damage when the tree is removed. Probably we will have Duncan or someone else do repairs afterwards. Eric said if we don't remove it, it will do more damage.

Sue Lovering asked if Brian has consulted with the tree warden. Brian said not recently. The tree is thoroughly dead. Sue suggested the tree warden might have a useful angle. This is under his jurisdiction. Brian said he will talk to him.

Nat moved and Doug seconded that Brian consult with tree warden Noel Dodge and see if he has a better idea and if not to hire Michael's Tree Service to remove the dead tree in Plot Cemetery. Mike asked if Brian got a firm price. Brian said no, but he thinks there is no way to get a firm price. It may depend on how nicely the tree comes down. He doesn't think it is safe to climb it and it can't be reached with a lift. He doesn't think there is a realistic option that isn't felling the tree. Sue asked what kind of tree it is. Brian said he believes it is a pine. Sue asked if he has talked to someone about cutting pieces off it. Brian said the people he has talked to so far have declined. Sue suggested contacting Corey Hathaway. Eric suggested authorizing a dollar amount and letting Brian research the best option. **Nat and Doug agreed to a friendly amendment, changing to the motion to one allocating up to \$3000 for removal of the dead tree in Plot Cemetery. The motion was passed.**

14. *Other Business/Old Business*

Kyle said she was at the soccer tournament this weekend. Lisa Crews did an amazing job. It went very well.

Lois Frey said she is interested to hear what is happening with the Jewett property. Brian said we have grant applications out for final engineering and construction dollars. Eric said we are trying to avoid using town dollars. Lois said previous minutes said the town would hear in July about the grants and we didn't get those. Brian said we haven't gotten either a notice that a grant was awarded or a denial. He has to follow up and ask about the status. Lois said

she saw a release the governor had sent out that had a list that did not include Johnson. She said people are starting to ask about what will happen. It seems important to talk about. Even if our applications were rejected it is important to keep people informed.

Brian said at the economic opportunity zone forum he attended he was able to meet with federal reps for the Economic Development Authority. We are also attempting to get EDA funds. They are interested in working on projects with the Northern Borders Regional Commission. We might be able to set up a site visit to bring both parties together for a future funding round. Brian was not aware they had published a list of those who have received funds but if we had received a grant he would have expected us to have been notified already, so he thinks if the list published doesn't include us we probably didn't get one even if they haven't told us that yet.

Kyle asked what happened to the pilot program the state was interested in on industrial park designation. Brian said he thinks that is still a good option for us, but we need some infrastructure first before we can apply. We need a road up there. Then we can apply for a master permit that will allow developers to file amendments to our master permit. That will make the property more attractive. But we can't subdivide and sell lots until we have a road. The cost for a road and infrastructure is in excess of a million dollars. We also need final engineering.

Sue asked how many grants have been applied for. Is there something the town is still waiting to hear about? Brian said he is waiting on an EDA grant. We might make a modification and submit an application just for doing final engineering and submit another for construction money. He needs to talk to the EDA office about that. He would say the town has applied for a total of 3 grants.

Sue said there is a lot of anger out there about this project. There is talk about wanting the town to sell the property if there is no progress by a certain date. People are angry they put their taxes on the line and nothing has happened. The implication is that there are grants just waiting for us to use them.

Eric said he thinks no one is more frustrated than we are, but we are not going to do it with town dollars. We need grant funds. Brian said he has sent out more than 3 grant applications. We have applied for 3 grants for construction money and we have also applied for planning grants and engineering grants. There are not as many construction grants available.

Lois asked, is there a grant for engineering? Brian said we have one application out but we haven't heard a decision. Lois asked what the match is if the town gets the grant. Brian said he believes we qualify for a 25% match. Lois said the board has to keep in mind that people are going to be asked for grant match money. They have to know what is going on. Eric said typically we can make the match in in-kind services. Seldom do we have to come up with dollars.

Mike said he understands the Jewett property was sold to the community by saying we would seek grants to fund work there. We have been open with our intentions. Lois said there is no

way for people who don't come to meetings to know what is going on. Can there be updates in the minutes?

Nat said the message is that we need to communicate better. He doesn't know if a Front Porch Form post is the best way to do it but maybe we can write up a summary. Eric said at least we can say in the town report what we have done so far. Lois said last year's town report had no mention of anything that happened. Mike said we could put on the town website what we have tried to accomplish so far. Would people look at it there? Lois said she thinks a lot of people read the town report. A lot of people read the minutes or watch the meetings on cable access. Maybe every other month or every 3 months the board could mention what is being done with the Jewett property. Mike suggested Sue could interview Brian and write something for the News & Citizen. Sue said she gives updates based on what she sees in minutes but most of the time nothing has happened. Mike asked if she thinks it would be helpful to interview Brian. Sue suggested Brian could just send her what he knows.

Doug said he thinks there are lot of areas where people in the town would benefits from hearing what we are trying to do. Maybe that is part of what we can discuss at the next meeting.

Kyle said when Sue hears from people who have concerns she should send them to the board. Sue said a lot of the people wouldn't come to the board because they feel nothing they say would make a difference; the board just does what they want anyway. They won't vote on school budgets or taxes even though they have complaints.

Lois said she can't come next week for the priority discussion. Kyle said it is a problem that it was planned for tonight and then moved. Eric said other issues came up. Kyle said that is not fair to the public.

15. Executive Session to Discuss Employee Performance

Mike moved to enter executive session to discuss employee performance as allowed under 1 V.S.A. § 313(a)(3), Kyle seconded, the motion was passed and the board entered executive session at 9:24. The board came out of executive session at 10:07.

16. Adjourn

The meeting was adjourned at 10:07.

Minutes submitted by Donna Griffiths