

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, NOVEMBER 20, 2017

Present:

Trustees: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood

Others: Brian Story, Chris Perkins, David Butler, Roger Marcoux, Norman Andrews, Charles Gallanter, Casey Romero, Howard Romero, Maggie Fox, Green Mountain TV

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 7:00.

2. Review of Agenda and Any Adjustments, Changes and Additions

Eric said Chris Perkins had asked for a couple of minutes to address the board. He added that to the agenda. Brian added a noise ordinance waiver request and an executive session for a personnel matter.

3. Chris Perkins Retirement

Chris Perkins said he wanted to let the board know that he plans to retire on April 1. Eric said the board may want to look at hiring someone early enough for some overlap before Chris leaves.

4. Review and Approve Minutes of Meetings Past

Mike moved to approve the minutes of October 2 and October 23, 2017, with "Mile" corrected to "Mike" on p. 7 of the October 23 minutes, Kyle seconded and the motion was passed.

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

Rosemary said we have spent 36.16% of budget. Revenues are at 85.86% of budget. We have received \$335,303 in state PILOT money and a current use payment of \$87,045. Both were more than budgeted.

Rosemary distributed the delinquent tax report. Delinquent taxes will be sent to the attorney for collection in December. Total delinquent taxes may be a little less than last year. Current taxes are 55.27% collected. The second installment was due November 10. That is slightly less than was collected last year at this time and slightly more than 2 years ago.

The town has received two requests for tax abatements. The board agreed to set a date to hear those in January.

Rosemary asked what amount of holiday pay the board wants to give employees. Normally it is \$100. Nat asked if the trustees have acted on this yet. Rosemary said no. Doug asked how long it has been at \$100. Rosemary said more than 10 years. **Mike moved to maintain holiday pay of \$100 for employees, seconded by Nat.** Doug said he would be interested to know what the amount would be if it had been adjusted for inflation over time. Nat said a quick Google search indicates it would be \$115. **The motion was passed.**

6. Planning Commission Report

David Butler said the Planning Commission supports what Casey is trying to do at the skate park, but they didn't have a quorum at their last meeting so they couldn't take official action. They

want to meet before the selectboard meeting next month so they can pass their approval to the board.

At the last meeting the Planning Commission talked with Meghan Rodier about river corridors. David personally has some huge reservations. Brian said the state pays a portion of the 25% of costs not covered by FEMA; how much is determined by how disaster-ready we are. Complying with river corridor requirements could give us another 5%. It is a significant program that makes major changes. David said since this program started it has grown and gone further up our mountain streams. First it included every stream that drained 2 square miles or more. Now for every stream that drains 2 square miles it includes 50 feet on either side of the high water mark and for every stream that drains half a square mile or more there is a 50-foot buffer. Every stream that drains a quarter square mile or more will be under Act 250 review. It seems like they are reaching out more and more. The Planning Commission tried to get them to describe infill within a river corridor very carefully. He is not sure they have done it to his satisfaction. For example, in a trailer park where trailers were removed after a flood they said we would draw a line around the development and nobody would be able to build any closer to the river than the closest edge of the development to the river. It does not really fit with what the Planning Commission tried to do with form based code. The Planning Commission will continue working on this.

Nat asked about the time frame for a hearing on form based code. Brian said we have 90 days to hold a public hearing. Thirty days after that we have to have a second hearing and then the board would vote. Eric said the public vote is non-binding so it can be done any time before the second hearing, when the board will officially act (or choose not to act.)

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

Brian said the box culvert on Upper French Hill was installed. He and Brian Krause are still deciding whether guard rails are needed by it. The last few days, with the weather changing and Brian Krause out, the road crew has really stepped up.

8. *Discussion of the Sheriff's Budget*

Sheriff Roger Marcoux introduced Norm Andrews, who does accounting for LSCD. He said this year the major topic of conversation became setting up a capital fund for cruisers. He had been spending \$15K a year for cruisers but they cost significantly more than that. Norm said \$15K a year for vehicles doesn't work for the long haul. This year Roger put over \$150K of sheriff's department money into vehicles to support the patrol budget because the vehicles were needed and there was not enough money in the patrol budget. That came out of an accumulation of money in the sheriff's department. Norm hopes to establish a capital reserve fund so there will not be peaks and valleys in the budget. The \$15K a year figure was not sustainable. Roger has agreed that over the next 4 years he would put in another \$100K to help get the reserve established. A replacement schedule has been built. In this year's budget, funding for vehicles went from \$15K to \$25K and Roger will be putting in \$30K to make the numbers work. Each year the amount will go up \$10K. By the time we get to the end of the 4th year Roger's ongoing commitment should no longer be needed. The amount spent for vehicles is the only substantial change to the budget.

Eric asked where Roger's contribution is coming from and how he is able to predict how much he can contribute. Roger said he can predict because he has the money now. It comes from other projects. It is independent from the patrol budget.

Eric asked if using the money for patrol vehicles passes the "straight face test" as a good use of money, as it only benefits the three patrol towns. Roger said the sheriff's department can contract out and because of the work ethic of his employees they are in popular demand all over the state. They are not a private business so the money they make is put back into the community. Roger wants to help if he can because he wants to maintain the relationship. He can say that he will definitely have the money he has promised.

Eric said according to the schedule at the end of FY2024 the capital reserve will be \$18K in the hole. Norm said there are a lot of moving parts to deal with before we get to that point. The group still has work to do around how long to keep vehicles. In the past Roger has run them until there was nothing left, leaving no trade-in value. The group is interested in considering a faster trade schedule in order to have more residual value. But it costs about \$15K in addition to the purchase cost to fit up each vehicle with lights, radios, etc. Replacing vehicles more often increases the amount spent on fit-up costs. The group still has some things to work through. There has been some discussion about what happens if someone wants to get out of the patrol budget. That is not resolved. There is a question of whether we can get by with one less patrol vehicle. But the other night, for example, eight deputies were out at once. It would be difficult to provide rapid response to the whole patrol area with one less vehicle. Roger said fit-up cost was about \$5K in 2001 and now the cost is \$15K. What will it be in the future? That will be a challenge. Norm said the committee will review whether it is better to lease or buy. Roger said LCSD has been paying someone \$25/hr to change tires on all fleet vehicles. They may be able to do the same thing with oil changes, etc. in order to reduce repair and maintenance costs.

Doug asked, we would be contributing towards 7 vehicles? Roger and Norm said yes. Doug asked what the other vehicles are. Roger said they are for other things LCSD does, such as transporting prisoners or the mental health program vans. Civil service has a vehicle. They are pretty careful to keep those vehicles separate from the vehicles the patrol budget pays for. Doug asked if the 7 vehicles funded by the patrol towns are dedicated entirely to the patrol towns' usage. Roger said yes. There are 6 patrol vehicles and one detective vehicle. Brian said Roger told him if that if any patrol vehicles needed to be used for other use there would be reimbursement to the patrol budget. Roger agreed.

Kyle said a citizen reached out about the amount of cash on hand LCSD has. Roger said LCSD is in conflict with that citizen so Eric addressed that. Mike asked if LCSD is going to respond to that. Roger said they have. He has a meeting tomorrow about it.

Roger said he thinks he was confused about where we are with the radar speed sign. Brian said it is progressing. It appears the state will allow us to install radar speed signs on Route 15. They like them to be in the same place as the speed limit sign, but at one end of town the spot where the speed limit changes is pretty heavily wooded and it would be difficult to run solar to the sign. So we may either have to run backup power to it or move it further downhill. The signs will log data so we will be able to see how many people have been speeding.

Roger said last Wednesday a citizen died in a car accident on the curves by Nadeau's. He is concerned about the number of fatalities we have had in that quarter-mile stretch of road. He is not sure what to do about it but he thinks the community should start having conversations and see if we can get people from VTrans to come and see if there is something inherently wrong with the road design. Sometimes impairment has been an issue and sometimes it hasn't. If the board wants him to continue to do research he can work with Brian.

Mike said that is an extremely hazardous stretch of road even for locals. Eric asked if we could invite VTrans to a meeting. Brian said he will reach out to them. Roger said he will do some research on the number of fatalities. Nat said our state legislators could probably also help. The board agreed that it would be a good idea to start by getting statistical data.

9. *Community Capital of Vermont Loan Fund Administration*

Maggie Fox of Community Capital of Vermont said she is here to answer any questions the board has about the potential for Community Capital of Vermont to administer the town's revolving loan fund. They administer revolving loan funds for 9 towns.

Eric said this is the town's first revolving loan fund. The village has one they administer themselves. The board didn't anticipate having the fund so quickly but the loan was paid off early. The board is deciding what control over the loan they want. He suggested that Maggie talk about how much influence the board would have over who funds are loaned to if CCVL were administering the loan fund.

Maggie said it is most manageable for her organization when they administer the fund. They would have prenegotiated criteria about how the fund gets used. They would receive applications and do the underwriting and research and have a full loan committee review of applications. The money would be disbursed from a fund they would hold. They make a small amount of interest on loans they administer. It is in their interest to hold the fund and be responsible for underwriting. Sometimes a town will want to restrict the loan funds for town use only. CCVL is non-profit. If they do the underwriting and do not hold the fund in total they are paying to administer the fund. The board can talk to people from other towns about how has it been for them to have CCVL administer their loan funds. CCVL has been around for about 20 years. They came out of the Central Vermont Community Action Council. They became a 501(c) non-profit. They are an alternative lender focusing on low to moderate income entrepreneurs and small business owners who may not have the capital they need to start a business. Their mission as a community and economic development organization is to provide a chance for people with great idea and the character and courage to implement them. They may have low credit scores due to a medical issue or unpaid student loans. CCVL can give them second chances. They are looking to create jobs in Vermont and improve economic stability. They focus a lot on downtowns and working landscapes.

Eric asked how our loan fund amount compares to others they manage. We have a little over \$250K. Maggie said that is bigger than some and smaller than some. Some towns have funds that are down to around \$11K. Some have \$750K to a million.

Brian said CCVL only does business loans. We were interested in also providing housing loans. We could contract with a similar organization called Downstreet that would provide the same kind of administration for a portion of the fund that we would designate. When Maggie says CCVL would want to administer the whole fund, she means the portion the town designated for business loans, not the whole 250K, right? Maggie said that is right. Brian said the board would have to decide what portion of the fund should be managed by each organization.

Maggie suggested Brian might want to talk to the director of the Vermont Housing and Conservation board, who is a former director of CCVL.

Doug said he wonders how many communities have funds like this that are self-administered vs. contracted out. Maggie said CCVL manages 9. A lot administer their own funds. Some do it very successfully and for some it is very difficult. You want to have criteria that allow for equitable disbursement of funds. If there is a sector of the market you want to encourage you can identify where you want the funds to go and have that decided up front so there is not a decision each time someone applies for a loan.

Doug asked if CCVL does something besides administer revolving loan funds. Maggie said they do. Administering loan funds is part of their larger mission to provide flexible financing for small business owners. After the loan is in place they provide technical assistance at no cost to the loan recipient. If they fund a loan with some funds from Johnson's revolving loan fund and also with some funds from the SBA or FDA, that allows them to access grant funds so they can be a consultant to small businesses.

Doug asked, if someone from Johnson applied and was approved, CCVL could give some money from other funds as well? Maggie said that is right, which stretches the town fund.

Doug said we were not thinking of directing funds toward a specific sector. Maggie said she thinks what the board wants to do would for the most part fit in with CCVL's mission and lending policy. The funds wouldn't have to be limited to low to moderate income entrepreneurs. They could go to any Johnson resident.

Doug asked if there is a fee or if CCVL keeps the interest. Maggie said they keep the 7-9% interest on the loan. They don't charge the town anything.

Eric asked, if the town wanted to restrict loans to Johnson residents only and later wanted to change that, do we have the option to change conditions? Maggie said yes.

In answer to a question, Maggie said all the interest on the loans goes to CCVL. The cost to administer the loan is greater than the interest. CCVL is taking on the risk of loaning to people who don't have good credit or collateral.

Howard Romero said his understanding was that the interest from the loans would go back into the loan fund to increase the amount. Eric and Mike said that would happen if we managed the fund ourselves.

Brian said if we use CCVL we are not administering the loan so we have saved administration costs. We could take some of what we are saving in administration costs and add that to the loan fund if we wanted.

Doug asked what the interest rate is on the village loans. Rosemary said it is prime minus two. The last loan they gave had an interest rate of 2.25%. Maggie said 2% is about what a bank loan is now. Johnson could grow the fund by keeping administration in the town and keeping the interest. But there is staff cost in underwriting the loan and if the town administered the fund the town wouldn't have the grant funds that provide coaching, counseling and training support that CCLV provides at no cost to borrowers along with the loan. They get grant funds to bring in business coaches, provide marketing training, etc. so the business is successful. Their standard interest rate is 7, 8, or 9 percent, based on risk, but they offer 2% lower for value added ag. The town needs to consider not just the cost to administer the fund but also getting the money out the door and what the town can do to ensure success of the business.

Casey asked if the loan funds can be invested in growth in municipal infrastructure. Maggie said to a great degree it depends on how the town wants to determine use of the funds. It could be the Johnson Recreation Revolving Loan Fund.

Mike asked Rosemary if the village has ever had any bad loans. Rosemary said they foreclosed on one. Mike asked, they didn't lose any money? Rosemary said no, they sold the property. She thinks they ended up fine financially.

Kyle asked, if we self administered the loan fund, how much lawyer time would be required. Would a lawyer have to look at every one? Brian said he doesn't know that we would need legal review of each one but we would need some advice and assistance to assess credit worthiness and determine whether we would loan to an applicant or not. Rosemary said Meredith, the village manager, does that work for the the village.

Nat asked how many loans the village processes a year. Rosemary said maybe one. Nat said we will be required to turn this money over at certain rate, while the village can sit on theirs.

Howard said in his eyes the real value is with the SBA funds. That trumps any other argument he can come up with.

Doug said regarding the interest rate, car dealers who are willing to loan to people with bad credit have an interest rate of about 20% with a \$500 fee to the dealership. To him, it's a question of whether we think the best development for Johnson is addressing people who can't get bank loans.

Maggie said she can come back later if the board wants her to. Eric said he thinks the board will want to talk to the housing group as well and would like references from towns that have had CCVL administer their loan funds.

Doug said he thought Ken Gibbons, a former bank president, was willing to work on administration of the loan fund. Once the loan fund is out of our control there could be

unforeseen consequences. Eric said the board could probably devote a meeting to discussing the loan fund and invite Ken. (*Maggie left.*)

Casey said there might be a way for the technical expertise CCVL can provide to be integrated with the town's plans for the talc mill property. For instance, the person who started the electric bike business might be able to get technical advice on his business.

Doug said he would like to know who will invest in this community and whether we need help with investment.

10. Skate Park Committee Flood Permit Application

Casey showed the board the flood zone permit application from the Skate Park Committee. The proposed mountain bike terrain is in the floodplain. Rebecca Pfeiffer wrote a letter with some construction suggestions. Banked turns should not be oriented so they send water toward residences. They aren't. Rebecca thought the chain link fence between the skate park and neighboring residences would help alleviate concerns with debris flowing toward houses. Rebecca advised that anything put into the ground should be well-anchored. It will be. Susan Baird suggested that Rebecca Pfeiffer's language addressing construction concerns should be incorporated into the permit. The Planning Commission was supposed to have acted on the permit application first, but they lacked a quorum. Board members told Casey the Planning Commission has tentatively scheduled a meeting for December 13, before the selectboard's next meeting.

Casey said the Skate Park Committee can't submit an Act 250 application without approval of the flood zone permit. They are also waiting for a letter from Historical Preservation saying they recognize there are no artifacts. They are due to get that in early to mid December. And Susan Baird needs one more map that LCPC is doing. Then all of that can go to Act 250. Until they have an Act 250 permit they can't go for more money.

Mike moved to approve the Skate Park Committee's flood zone permit pending Planning Commission approval, with Rebecca Pfeiffer's language addressing construction concerns incorporated into the permit, Kyle seconded and the motion was passed. (*Casey and Howard left.*)

11. 2017-2021 Capital Budget Plan

Brian said he made changes as previously discussed. We still have the two options of a 10-year or an 8-year truck replacement schedule. The board had previously expressed interest in not making an immediate decision on whether to go with 8 or 10 years but waiting to see how much the second truck costs for repairs at the end of its life. He wrote a plan that writes in the expectation that we would make an amendment to specify either 8-year or 10-year replacement before we have to replace the next truck, ideally next year. The 8-year and 10-year plans are only the same for one year. This would let us have one year to make the decision about the replacement schedule. The next vehicle to be replaced is a 2007 that will be up for replacement next year and the other is a 2009. We have elected to replace the 2009 on the old 12-year replacement schedule because otherwise there would be one year where we were replacing 2 trucks.

Eric said by next year we would have some data on the second truck. Brian said he has been asking other towns about their replacement schedules. They are getting more rapid. Twelve years was an outlier. That schedule really cost us at the end of life of the last vehicle to be replaced.

Brian said on p. 5 of the plan he states that we will take the second truck to 12 years for the additional data it will provide and we will file an amendment to the plan determining whether the replacement schedule will be 8 or 10 years. Elsewhere in the plan it states that we are not choosing an 8 or 10 year schedule. We have to make the amendment before 2020-21, which is the next time we replace a truck if we go with 8 years.

Next year the contributions to the fund are the same whether the schedule is 8 or 10 years. Brian's recommendation for subsequent years is to follow the 8-year replacement plan until we make a decision. If we started out following the 10-year plan it would make it hard to switch to 8 years. Eric agreed that it would be better to plan for 8 years initially. If we didn't plan for 8 years and in the future we decided on an 8-year schedule we could have a huge spike where we had to make a huge contribution to the fund.

Mike said he thinks we should go with the 10-year plan. Eric said we don't have to decide until next year because this year the contributions are the same.

Brian said he would like the language in the plan to indicate a default state until the board makes a decision about the replacement schedule and also include language stating that we intend to reevaluate and make an amendment. He would like to make the default state an 8-year replacement plan. Next year we could keep it at 8 or change it to 10. The board agreed to make the default 8 years if no decision is made and to plan to make a decision next year.

12. *Green Mountain Byway Letter of Interest*

Brian said if we want to participate we will have to send an official letter of interest. There is no cost to participate in the current cycle. That is not to say there will never be a cost, but there is enough money left in the current Green Mountain Byway budget to reprint brochures and redo the map with us included. **Doug moved to authorize Eric to sign the November 20, 2017 letter of interest in Green Mountain Byway participation that Gordy Smith signed, Nat seconded and the motion was passed.**

13. *Extending the Sewer Service Area*

Drew Fairbanks sent a letter requesting that the Town Sewer Service Area be extended to include the site where he wants to build. The boundary passes through his property. (*Doug recused himself from the discussion.*) But the bulk of his property, including the location where he wants to build a home, is outside the service area. In the intermunicipal agreement there is a provision that if the town and the village both agree they can extend the sewer service area.

Kyle asked what the cons would be. Eric said in the past we were reluctant to extend the TSSA. The town and village had agreed on the area to be included. We made an exception, after a lot of discussion, to include the Laraway School as it was deemed to be to the benefit of the community and also protected the village's waterhead. There have been some other requests and the town has not extended the TSSA in response. We have tried to be careful not to extend for one and not for another. We are trying to deed this sewer service area over to the village

anyhow. We had a set allotment of sewer capacity. We were looking at using the capacity for development to benefit the town. He cautions about precedent setting. However, this may be a bit different because we are willing to deed over the TSSA and the village is willing to accept it.

Kyle asked if the barn on the property is used for animals. Brian said no. The construction project is going to be a single family home.

Mike asked, why not just give the TSSA over to the village and let them take care of it? Brian said that will take some time. The transfer of the East Johnson TSSA is unlikely to be completed until the twin bridges project is completed. Nat asked why. Brian said he doesn't have a good answer to that question. There is liability exposure during the construction project. They will have to dig up the lines to replace the bridges.

Mike asked what the sense of the trustees is. Rosemary said they haven't discussed it yet. Mike said he thinks if they are willing to do it we should approve it. Eric said he thinks it works the other way. We have to approve it before it goes to them. We could approve it with the condition that they want to do it.

Doug asked, once it is a village sewer line, will the village allocate capacity? Rosemary said the town originally had 25 gallons and has used some. Eric said he thinks there is still plenty of capacity. Rosemary agreed.

Eric said any allocation for the Jewett property would be taken out of our capacity. Brian asked, would it be taken out of our current capacity if we made a new hookup? Eric said he thinks so. He said something to find out is what capacity we have left and how much we think we need to set aside for the Jewett property.

Doug asked if the town or the village owns the line that goes to Laraway. Eric said as he recalls the East Johnson Town Sewer District is a little unique because the town took out a loan, which has since all been paid back by users there. It was designated the East Johnson Town Sewer District. The town owns the infrastructure and the village does the work but we pay for it. Where Laraway is located it's a little different. The village maintains and owns the lines on the west side of town. We legally own the infrastructure on the east side. We want to give it to the village so it will be like the west side.

Mike moved to extend the boundary of the East Johnson Town Sewer Service District to include the location where Drew Fairbanks plans to construct a home, contingent on village approval, seconded by Kyle. Nat said he needed to recuse himself.

Kyle said she is a little hesitant because she is not quite sure what the long term ramifications could be, not knowing all the history. In concept she likes the idea of moving the request forward.

Mike said the sewer service district boundary goes through Drew Fairbanks' property. To him that makes it different than some other requests in the past. He doesn't think granting the request shows any favoritism because of the circumstances.

Eric said he will vote against the motion because we do not know what allocation we have left. He doesn't want to jeopardize any need we might have at the Jewett property. If we had plenty of allocation for that and this wouldn't impact it, he might support it, but without knowing, he can't support it.

Mike asked, with Laraway did we share an allocation with the village or did the town cover the whole thing? Eric said he doesn't recall but he thinks it was shared because there was some benefit to the village. Doug said he thinks it was all from the town's allocation because it was not in the village.

The motion failed.

Brian said he will find out how much allocation the town has left and whether the village wants to issue an opinion. Brian asked him also to get an estimate of need at the Jewett property.

14. Animal Control Ordinance

Brian said he made the changes discussed at the last meeting. He fixed the spelling error and changed the language on providing sufficient housing to talk about maintaining a temperature range appropriate for the breed rather than giving specific temperatures.

Nat moved to adopt the animal control ordinance as presented, Mike seconded and the motion was passed.

15. Dangerous and/or Vacant Building Ordinance

Brian said he has been working with Doug and Dave Barra on this. He asked Doug to talk about it. Doug said he went through the ordinance again since the last time he sent suggested revisions to Brian. He doesn't think it's ready for prime time.

Doug said the ordinance has standards relating to vacant buildings and to unsafe or dangerous buildings. He found it somewhat confusing in how they applied. Vacant buildings are not necessarily dangerous. They could become dangerous. Some never will. He would suggest separating references to vacant buildings from references to dangerous buildings.

When Doug looked up the statutes cited as authority for the ordinance, he found that one related to wolf hybrids and was probably in there by mistake.

In Article 2 he separated purposes related to dangerous/unsafe buildings and those related to vacant buildings.

He added language saying the ordinance is adopted for purposes of facilitating communication about buildings. In 2.02, in the statement about the ordinance establishing a reasonable framework, he took out "reasonable."

In Article 3 he changed some language defining "building." He included buildings that have or had a roof, walls, etc. The only exception he included was buildings in use as farm structures.

Previously he had expressed concern about a requirement to notify all owners of a building because of the difficulty in finding them all. But he now feels we should notify all owners. He thinks we will have a current owner title search done and have to find and notify the mortgage owners. Some leverage will come from notifying banks. We need to do the research. It won't be simple.

In 5.02 he specified that notice is to be sent to owners by first class U.S. mail and tacked to the building entrance and he added that notice shall be complete when the earlier of those is done. He added 72 hours notice.

In 6.03, in the statement about the administrator making a careful survey report, he took out "careful."

He had previously suggested, and Dave Barra approved, saying in 6.04 that we may enter the premises rather than we will. He thinks this has to go to VLCT. We need to see what they say about this kind of language.

This ordinance talks in different areas about civil or criminal action. Statute says an ordinance has to be either civil or criminal. He doesn't have enough experience in this area to know how to define this ordinance.

In Article 8 he made some changes to wording because some language seemed related to a different section than the section where it appeared.

The ordinance discusses appeals and variances. Variances have a bad history in zoning. He is not sure he likes including variances.

In Article 9, he added language about the least possible deviation from the vacant building maintenance standards and structural integrity standards.

Eric asked if Brian has run this through VLCT. Brian said not yet. He wants it to stabilize a little here before their review.

In 6.07 Doug took out language referring to the "model building or Life Safety Code" and left in "any applicable building, fire prevention or public safety ordinance."

The ordinance says we have the opportunity to come in and make repairs ourselves. It says we shall do that and he thinks it should be "may." There is the question of who pays for the work if we do it. Or perhaps 8.03 is referring to an order that work be done by the owner. In any case, he thinks it should say "may" rather than "shall." Brian agreed. Eric said it is not clear if it is referring to us issuing an order to the owner or to the administrator spending money to get work done ourselves.

Brian said we will keep working on this ordinance.

Charles Gallanter said he thinks the board should leave out all the parts about vacant buildings. Vacant building permits would be public record. They could be researched by thieves or vandals. He doesn't think it is any of the town's business if a building is vacant. If it is dangerous, yes, but a homeowner shouldn't have to get a permit to go on vacation or to go and work somewhere else for more than 90 days. He thinks the safety issues raised were kind of specious. The fire department won't go in to inspect a building and decide what needs to be done before a fire. He doesn't think a public safety officer should be able to get in to a home while the owner is gone for more than 90 days. One standard included for foundation walls was that they should be animal and rat proof. He questions that. A mouse, snake or bug can get inside almost any foundation.

Charles said in 8.06 there is a reference to excessive vegetation, which is never defined. The Conservation Commission promotes vegetation. Brian said he thinks that is struck from the more current version. Doug said it was moved to a different section where it seemed more relevant. Charles said it is very subjective what is excessive vegetation. How is it the town's business? Maybe it is of concern in the village. Maybe control over vacant buildings belongs in the village, but he doesn't think it belongs in the whole town.

Charles thinks the minimum penalty is excessive. He doesn't think there should be a minimum penalty. He is curious if anyone has evaluated what the cost is to the town. There is a lot of work for the administrative officer to perform in this ordinance. Has anyone considered cost?

Doug said he feels we have good reason for the community to address vacant buildings. There are costs now for people who are next to buildings like the one where Hot Tamale used to be. Their homes are losing value.

Charles asked if the board has looked at cost benefit analysis. Doug said he feels that is not a deciding factor.

Charles said there are some things in Article 6 that he feels should be in a more general category. Regarding the fee structure, if an owner is going to sell their building they don't have to pay the fee for a year, but after a year they have to. Why? Brian said after one year you have to reapply. Charles said you also have to pay after a year. It's free for the first year. Doug said you have to pay after a year because you're not selling.

Charles said he thinks the board ought to consider taking vacant buildings out of the ordinance.

Eric said the board was trying to address camps and seasonal use. Charles said there is no definition of "rehabilitating." Eric asked what we were trying to accomplish with the vacant building part. Doug said it came with the statute we were looking at as a starting point. Brian said yes, an existing ordinance was our starting point and also we were trying to be proactive. We imagined working with an owner before the property deteriorated to the point it was dangerous. It was never our intention to deal with buildings whose owners went away and then came back. Eric said we were not trying to affect someone going away on vacation. We wanted to address buildings that were not just vacant, but abandoned and vacant. This ordinance is still in process. We are still working on the document.

Charles said there are a couple of buildings on Plot Road that are abandoned and falling down. He doesn't think they are affecting values.

Eric said the board has had citizens approach us about some buildings in the town like the one where Hot Tamale was located. We had nothing in our tool box to deal with it.

Charles said he feels the \$100 dollar a day minimum is too high. Doug said statute allows us to go up to \$800.

16. *Installation of Gutters on the Holcomb House*

Brian said he is moving ahead with this because we need to move more water away from that entrance. The gutters will cost a little over \$300 dollars installed. He feels we should set a threshold for what he needs to bring to the board. Mike suggested anything that costs \$500 or more. Eric said the way Duncan usually did it, if it was time-sensitive he would give Eric a call and if Eric didn't feel comfortable approving the expenditure he would call a special board meeting.

17. *Discussion of the Northern Emergency Medical Service Budget*

Eric said he met with Scott Griswold about the NEMS budget proposal. He presented a minimum increase they are looking for and a preferred amount. Both are pretty significant increases. One budget driver is a proposed 3% cut in Medicaid reimbursement. They anticipate revenue will drop. Payroll is dropping a little because their bookkeeper is going to part-time. That also affects health insurance, which is dropping fairly significantly. Mike's wife is also cutting back her hours. Administration costs are going down. Under their minimum increase they would authorize less overtime and there would be no pay raise for employees. They prefer a budget that raises pay by a dollar an hour. That increases the budget significantly. One problem they have is they train people who then move to Chittenden for more pay. Pension plan expenses will be reduced. They are going from a 9-year to a 7-year ambulance replacement schedule. They need to make some computer repairs and upgrades. Their minimum budget has \$8K for that. With their preferred budget they would try to shave a little. The contribution to their equipment replacement fund has gone up fairly significantly in their minimum budget. In their preferred budget they thought they could sacrifice that for one year. Ambulance replacement needs to go up because they will need to replace ambulances more often. There is a piece of equipment new ambulances are required to have for cardiac patients. They need at least 2 and would like 3. Any new ambulance is required by the federal government to have a particular type of stretcher that costs \$24K.

They provided information on per capita costs for other ambulance services. Their current per capita cost is \$26K and what they propose would be either \$31K or \$35K depending on which budget. Those amounts would still be in line with neighboring costs. Their minimum budget is about a \$20K increase and their preferred budget is about a \$30K increase, which is a penny and a half on our tax rate. We are seeing proposed increases for both the sheriff's department budget and the NEMS budget.

Mike asked if we are going to address any of the million dollars the audit found LCSD has. Eric said it is not really under our control. We have no more control over Roger than he has over us. If we are not happy with how he is managing his budgets we can elect someone else. Some

fraction of the million dollars probably will be seen in the year end balance in the patrol budget. He has multiple budgets for different things.

Mike said the point is that he is looking for an increase but he is sitting on a million dollars. Eric said it isn't ours, though. Nat said that million dollars hasn't come from our contracted services. The money we are sending to him comes right back to us in services. In fact, this past year Roger spent \$150K on patrol cars and we sent him \$7K. We are getting subsidized in the patrol budget through his other revenue sources. Mike asked, if he has other revenue sources, why are we seeing an increase? Doug said because he doesn't have to provide us with any service unless we are paying for it.

Nat said he is taking \$100K from that million and giving it to patrol towns for vehicle purchases. Nat feels pretty satisfied. We are paying for a service and getting it all back. Doug said it's not like the village having an electric department and having a million dollars and wanting to raise rates. It is not like the million came from rates. Nat said a lot of sheriff's departments had more than a million.

Eric said all we do is contract for service. We have no authority. Mike said he understands but if they have that money on hand, why come to us to pay for something like a special investigator? What do they need all that money on hand for? Doug asked, if they provide us with a special investigator, shouldn't they charge us for services? Eric said some of the money may have come from assets seized in drug busts. Some can legitimately be used for patrol costs because some of our patrol officers participate in drug busts. We earn some of it.

Nat said it is significantly less than a million dollars because LCSD has some liabilities. Eric said when the state auditor did an audit they lumped all the budgets together. We don't know how much of that cash on hand comes from the patrol budget. Brian said Roger shares money from other funds with us.

Brian said NEMS will be submitting one specific budget request to us after their next board meeting. He can let them know before their next meeting our opinion on where we want it to fall. We could say we prefer the lower one or some combination of the two. Doug said we should ask them to come with a budget that will not put them in a non-viable position. Brian said we have to assume their minimum increase is that. Doug said he would ask them how sustainable their minimum is. He would like to know how significant a deviation they expect for the next budget.

Eric said the biggest impact of going with their minimum budget is that with no raises for their employees the fear is that they will lose them. Mike said what they really want is a \$30K increase. That is quite a jump. Nat said he doesn't think they would have presented us with the minimum if it weren't viable. He thinks that is the better option. Eric said the \$20K increase for that budget is a penny on the tax rate.

Doug said he thinks we should ask them if they want to come to a meeting. Brian said he expects Michael will be available to come, probably to the next meeting. Eric asked, at the end of the day what say do we have on their budget? We can say what our preference is. Nat said we can say we won't sign a contract at the higher amount. We have leverage.

Brian said he will tell them we prefer the lower option and that we want to know how sustainable it is and what the year after will look like. Mike said he doesn't even know if he wants to support the lower option. Doug said he would like them to tell us what they see as the consequences for employees and staff retention, etc. of the lower budget increase. Kyle said she thinks it would be nice to hear reasons from them but we have to also consider our other expenses. Eric said even their minimum will have an impact on our budget. Mike said this increase exceeds inflation. Most people's wages are pretty flat. Nat said the budget busters are related to cost of equipment. Eric said one of their revenue sources is reducing, rather than keeping up with inflation.

18. *Statewide Parcel Mapping Program Information Meeting*

Brian said he is going to a meeting on the statewide parcel mapping program. He wanted to do some updates to the GIS system. The state may pay for all or most of that as part of the regular update they are doing. The state wants to standardize if we measure from the edge or the center of the road. Right now we do both, depending on where. The state will set us up with a vendor rather than us choosing our own vendor, but our current vendor is one of the vendors they may set us up with.

19. *Speed Limit Change on 100C*

Our request for a speed limit change near the intersection with Route 100 was initially denied but Brian went to the Traffic Advisory Group meeting with Tina Mason and made an appeal and changed their minds. They will have to do a study to determine how far back the speed limit will be dropped.

20. *Noise Ordinance Waiver Request*

Mike moved to approve the noise ordinance request from Kateri Bisceglia for a June 30, 2018 event at the Field Days site and the motion was seconded and passed.

21. *Review Old Business*

Nat showed the board a list of old business he had compiled. The animal control ordinance can be removed from the list. Other items that can be added are library upgrade, form based code, hiring a new highway department employee, and a traffic improvement plan for Route 15 by Nadeau's.

22. *Other Business*

Eric thanked those who attended the joint meeting with the village and selected a benefit package. Our next meeting will be a week from today to view Mine Road. Brian said the board will meet November 27 at 3:00 pm at the intersection of Mine Road and Ben Ober Road. The board will review the road and if there is discussion we will reconvene here. There was a proposal for a joint meeting with the village on employee compensation. November 27 was suggested as a date. But we do not have a moderator for that date yet.

Eric said we need to gauge how strongly the board feels about having a moderator. Kyle said she feels we need one. It works better. Eric said when there is one person watching the clock and not participating it keeps us on track. But Dave Williams is not available on November 27 and we have not heard back from Carl Powden yet. Eric Nuse is a possibility if he is available and the village doesn't see using him as a conflict. Mike suggested Mark Woodward. Eric said if we go ahead with that meeting it will be at 7:00. Doug said Ben Waterman is a trained moderator.

Mike asked when we will have information meetings on the Jewett property. Brian said he made a Front Porch Forum post and hasn't received a lot of comment on that. He got one email asking us to keep an eye on low cost housing. Eric said our intent was to set a meeting in January for form based code and the Jewett property. Mike said the Jewett property was for business, not housing. Eric said there was a portion to be set aside for housing, but it was not designated to be low income housing. Brian said it was discussed that we would make some land available for housing. Eric said the main reason to buy the property was for business. Brian said viability for housing will be determined by who our first few tenants are. Mike said he thinks it should be all a business park. There is enough housing in Johnson. Doug suggested that all the reports on the light industrial park be put together in a package to prepare ourselves. Brian agreed.

Eric asked that we check with the school on availability for a meeting. It should not be on a Friday or Thursday.

Mike asked what people think about the loan fund. Eric said he feels there are pros and cons to both ways of administering the fund. We need to sit down and think about it. If we keep it in house we have work to do but there are benefits. If we let someone else do it we lose control but there is less administrative work. We need to weigh our priorities. Do we want to control who the money is lent to for purposes we feel as a community are important, or allow a group to do it? Doug said there are things such as the plan for the talc mill site that might be targeted with that money instead of CCVL's target to provide money to people not qualified for bank loans. We have to determine what would be best for this community. Mike said he thinks it will be better if we administer it ourselves, as far as what Doug is talking about. Nat said there might be other groups with different priorities we could look into. Brian said we do get access to a larger pool of money and additional resources by working with CCVL. Doug asked, can people apply to them for loans even if they are not managing our fund? Others agreed that is a good question.

Mike said he thinks the board should pick at least one item on the list of old business and deal with it. Brian said he got an electrician's name for the bandstand from Cal Stanton. Eric said Brian is working on the radar signs. Doug said the McCuin Island land transfer is working its way through attorneys. Mike said it would be good to address one old business item at each meeting.

23. Executive Session – Personnel Issue

Kyle moved to go into executive session to discuss a personnel issue, inviting Rosemary and Brian, Mike seconded, the motion was passed and the board entered executive session at 10:20. The board came out of executive session at 10:40 with no action taken.

24. Adjourn

The meeting was adjourned at 10:40.