

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, DECEMBER 16, 2019

**Present:**

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood  
Others: Brian Story, Rosemary Audibert, Brian Krause, Kim Dunkley, Scott Meyer, Duncan Hastings, Kelly Vandorn, Brian Vandorn, Lois Frey, Jasmine Yuris, Jason Whitehill, Rep. Matt Hill, Rep. Dan Noyes, Sen. Rich Westman, Shayne Spence, Greg Tatro, Lynda Hill, Jackie Stanton, Beth Foy, Jane Nuse

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

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

**1. Call to Order**

Eric called the meeting to order at 7:01.

**2. Additions, Changes to Agenda**

Brian added discussion of a proposal for a finance committee, discussion of a petition to form a collective bargaining unit and discussion of communications from the town's attorney.

Kyle said she would like an update on the racial justice workshop.

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

**Nat moved to approve the minutes of the joint meeting and the regular meeting on December 2, 2019 and the motion was seconded. The motion was passed with Mike and Kyle abstaining and the other 3 board members voting in favor.**

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

Rosemary said to date expenditures are at 45% of budget. The state has sent us local fine revenue for traffic stops, etc. for June through November. The total was about \$1,000. Brian said so far this year we have received \$5,200 in revenue from law enforcement and we estimated \$5,000. The last several years we have gotten less than our budget estimate.

Rosemary said we have received all our PILOT money, our current use money and our ANR money. Current taxes from this year are 56.34% collected, slightly ahead of last year.

Rosemary distributed a list of delinquent taxpayers.

The Vermont Studio Center has requested permits for three receptions with alcohol at the Red Mill Gallery on January 5, January 29 and February 2 between 5:30 and 6 p.m. **Kyle moved to approve the three Studio Center events and the motion was seconded and passed.**

Rosemary said Gary Smith, the owner of the house that had a fire on November 1, has requested a tax abatement, so the board will need to set a hearing date.

Rosemary said the Tech Group, our computer support people, gave us an estimate of \$9,700 to replace all the computers they feel need replacing. Much of the cost will be shared between town and village. Brian Krause's laptop needs to be replaced. The town's share of

the cost will be about \$5,000. The village has already approved paying for their share. **Kyle moved to approve paying the remaining balance of the expense for replacing computers and the motion was seconded and passed.**

**Nat moved to give holiday pay of \$100 to town employees, Kyle seconded and the motion was passed.**

Mike said he would like to see the delinquent taxes posted on the town website. Eric asked if it would be hard to keep that updated. Rosemary said she could do it once a month. Nat said he doesn't think it is necessary. Doug said he thinks there are enough teeth in our collection laws that we don't need to shame people. Eric said he is sensing that the consensus is that board members don't want to do this.

Eric asked Rosemary how we are doing on finding a replacement for Jan. Rosemary said we have received several good applications.

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

Brian Krause said we took delivery on the new truck we purchased. If FEMA covers all the overtime the public works department had during the flood flooding event we won't be doing too badly, but he wants the board to know that there has been some overtime. He is doing everything he can to keep it down.

Nat asked where we stand with the FEMA issue. How is the paperwork going with that? Brian S. said we submitted our preliminary reports. There will be a couple of hearings around the state and we will have to present our request in person at one of them. He doesn't have a date for that yet. Eric said Vermont Emergency Management sent out an email saying that they expect the governor will ask for a federal emergency declaration by the end of this week.

Kyle asked if Brian K. could describe how he decides to send the crew out when there is bad weather. Brian said if it is a weekend he will drive around and see if he is able to get around in a 2-wheel drive pickup truck. He tries to keep weekend calls to a minimum. If he can make it up and down hills in a pickup he figures everyone else will be good.

Eric thanked Brian and the crew for cleaning up the tree in the cemetery that came down in the storm.

**6. *Planning Commission Report***

Kim Dunkley said the Planning Commission wrapped up its discussion on Class 4 road policies. She thinks at the next meeting there will be a motion to pass their work on to the selectboard. They were very happy to have some members of the public who live on Class 4 roads come in to give input.

Brian said David Butler would like to stay on the Planning Commission but would like to step back as chair. Kim said the Planning Commission is trying to find someone else who will serve as chair.

Duncan Hastings gave a Lamoille County Planning Commission update. He said Tasha Wallace sent out the annual request to be included in the town's annual appropriations. The LCPC board has been working on various things including bylaw changes and a code of conduct. LCPC had a totally clean audit. In general he thinks the LCPC board is a good working board. It has good dedicated people and good staff. They are doing quite a few things for Johnson.

It came to light a few years ago that LCPC owned a small island in the middle of a brook in Morristown. Nobody really knew about it until the Morristown lister sent a tax bill. LCPC was able to make a deal with the Morristown Board of Abatement to get the taxes abated for two years. They are trying to work on a proposal to transfer that piece of property to some public entity, which was the intention when LCPC acquired it.

**7. *Library Trustees Report and Action Items***

Kelly Vandorn thanked the board for the support at the last meeting for helping the library with its flooding issues. They got a couple of estimate for flood gates. Both were close to \$5,000. There will have to be some cement poured for the floodgates to be installed so they can seal, so there will be a little labor cost. They thought asking for \$5,500 would be a reasonable request. The bottom of the windows is about two and a half feet off the ground. Anytime the water gets above that height, flood water will come in the windows. So they got an additional estimate for replacement windows. That estimate was \$3,500. So the total amount needed is about \$9,000.

Nat asked for more information about the windows. Kelly said they are sealed and supposedly will keep water out. They are flood windows. Jasmine knows more about them. Eric suggested that the board will probably come back to this later when Jasmine arrives.

**8. *Allocating Time for School Board Updates***

Eric said he talked to Mark Nielsen. The school board is looking for an outreach method. They don't seem to have a lot of participation at their school board meetings. Mark and Eric came up with the idea of giving the school board time for a four or five minute report at selectboard meetings. Then if there is anyone here that wants to talk with the school board more about their issues they could break out and go to another meeting room for discussion. The school board doesn't report to us and we don't have any authority over them. But this would give them an opportunity to tell us what they are doing and if anyone from the public or any board members want to discuss certain issues they could go into a second meeting room to do so. Even if all five school board members are here it is not considered a quorum of their board so they don't have to worry about that issue. The board agreed to try this.

Kim Dunkley said it was really informative to hear what was going on with busing. She doesn't have kids affected but she feels it is important for the community to support the people that are not getting those services. As a community member she would appreciate that kind of information.

Lois Frey said she thinks it is a very good idea. Too many people have no clue what is happening in the school system. She thinks it would raise awareness, especially with budgets coming up.

Eric said he will get hold of Mark and make the offer to him.

Kyle asked if this would be at one or both of our monthly meetings. Eric said he will ask the school board. He was assuming it would be only one meeting a month. Kyle said we should make that clear to the public so they come to the right meeting. Eric said he thinks it would be the one when we also have reports from the Planning Commission, etc.

**9. *Historical Society Strategic Planning Consultant Selection***

Brian said the Historical Society is going to select a strategic planning consultant. The board approved them going out for a grant for long-term planning. They received a grant and they have a particular consultant they would like to bring in to help with their planning.

Duncan Hastings said they circulated a request for proposals and received four proposals with cost ranging from about \$3,555 to \$6,400. They have a grant for \$2,500 from the Community Foundation and they have requested about \$2,500 from their surplus from last year. So they have \$5,000 available. They reviewed all the applications and the unanimous vote was to select Newmark Associates. Their proposal also happened to be the lowest cost, but that was not the major reason they were chosen. The Historical Society also felt they had the best overall grasp of what they were looking for. The Historical Society is asking the selectboard to authorize the selection of Newmark Associates and hopefully to authorize the chair of the Historical Society to execute the contract.

**Nat moved to approve the bid for \$3,555 from Newmark Associates for planning work for the Historical Society and to authorize the chair of the Historical Society to execute the contract with Newmark Associates, seconded by Doug.**

Kyle asked when Duncan thinks the work would start. Duncan said all the proposals said they could start in January. The Historical Society has a deadline of August 15 for submission of the final report to the Community Foundation. He assumes authorization to file the paperwork would cover the final grant report as well.

Kim Dunkley said when the Holcomb House was purchased she thought it was a Historical Society thing. Why is the Historical Society coming to the selectboard for this?

Eric said the Historical Society is under the town's umbrella and they recently voted to remain under the town's umbrella. They are a town entity. Duncan said there is the Johnson Historical Society, a town entity. They have insurance through the town. The town owns their building. But there is also a 501(c)(3), Johnson Historical Society, Inc., which is a fundraising group with the express purpose of supporting the activities of the Johnson Historical Society. So there are two different entities. The Johnson Historical Society, of which he is a board member, is town sponsored.

Doug said at the meeting when the voters voted to buy the Holcomb House the presentation was that the Historical Society would raise as much money as they could and use it for the purchase but the property was going to be owned by the town. The town owns the building and took out the loan to buy it.

**The motion was passed.**

***10. Library Trustees Report and Action Items (continued)***

Jasmine Yuris said the library got three different quotes for flood gates and they decided to go with the same company Pomerleau uses. With installation, freight and labor the total cost for flood gates would be around \$5,500. The gates would be 6 feet high.

Eric asked, the work would not be able to be done until spring because of the cement padding, correct? Jasmine agreed.

Eric asked about the windows. Jasmine said the cost is about \$5,500 for the flood gates and \$4,000 for the windows.

Nat asked for more information about the windows. Can they take pressure from the water in a flood? Jasmine said they are aquatic grade windows that do not open. Kristen, who runs programs in the basement, never opens the windows. Usually if activities are inside it's winter. If it is summer they are typically outside. The cost to install and purchase windows would be roughly \$1,000 each. They are asking for \$4,000 with the understanding that that provides a little wiggle room in the budget.

Nat asked, if there is a foot or two of water covering the windows, are they going to hold? Jasmine said yes.

Jasmine said the library's total request is for \$9,500. Rosemary said there is more than that in the emergency management fund.

Duncan said when we looked at flood gates for the wastewater treatment facility the flood gates we got were sized at a height that the engineers decided would be appropriate. If the flood waters rose to that level the pressure of the water wouldn't collapse the walls. Jasmine was talking about 6 feet, which is very high. Was an analysis done as to whether the foundation wall of the building could withstand six feet of water? Jasmine said it did withstand that much in 1995. Duncan said that was with water inside as well. The situation is different with only water outside. Jasmine said that is a good point. That is something to be considered. Based on the history and frequency of storms the library board wanted to err on the side of caution. They feel covering the majority of the door frame would be in their favor. Duncan said as long as the water doesn't blow the foundation in and destroy the entire library. The question is whether six feet is the right height given the hydraulic pressure. Eric said we probably should have a structural engineer look at that building before we put in the flood gates. Duncan said the wall is thick and probably will withstand that much water. But if the pressure from 6 feet of water blew in the foundation it would do a lot more damage than the damage the water would do if it got into the building.

Jasmine said the library would like to purchase flood gates. Could the board approve purchase of flood gates with a contingency that the board would approve the flood gates purchased after checking to assess which gates are appropriate?

Doug said his sense is that the board certainly would be willing to approve purchase of flood gates at some point but he is concerned about having a structural engineer look at the building. The wrong gates could cause more harm than good. We certainly want to have flood gates and protect that building as much as possible. But he thinks it is essential to have an engineer look at it and tell us the appropriate level for the flood gates. Eric asked if Brian can help the library with that. Brian said yes; we can get an engineer to study it.

Doug asked, didn't Pomerleau also cover up holes for pipes and electrical wires entering the building? Duncan said they did do that. Part of the grant funding the town secured was used to secure all electrical and plumbing connections so that when they put the flood gates in there wouldn't be infiltration from other sources.

Eric said when Pomerleau put in flood gates for Sterling Market a question was why they weren't five feet high and it seems to him that it was because the walls could not take that much outside pressure. Duncan said the height they are is also close to the height of the existing windows. Brian said he recalls that the decision was made more due to the window height than what the walls could withstand. He is not sure what the limiting factor at the wastewater treatment facility was. Duncan said at the wastewater treatment facility the limiting factor was the weight of the water on the building. That was determined by a structural engineer.

Doug said it would be nice not to deviate from the library's desired timeline of getting flood gates in the spring. Kyle agreed that it would be good to do it as soon as possible. Eric said there is support from the board; we just need a structural engineer to evaluate it. Brian said he can get together with Jasmine on that this week. The board agreed that the town can pay for the engineer. **Kyle moved to authorize Bryan to secure a structural engineer for the library, Mike seconded and the motion was passed.**

Scott said the village hired a structural engineer to look at the powerhouse building foundation. He suggested Brian might want to talk to Meredith about who the village hired.

Jasmine said the library wants to purchase flood gates with the understanding that Jeanne, Kristen or volunteers would not put them in. Does the board agree to that? Eric said we have not decided. He has not even spoken to the public works department about it yet. Nat said he agrees with Jasmine. He feels the public works department or perhaps the fire department should be assigned to do this. Jasmine said she was told the time to deploy the flood gates is 10 minutes. Doug said there will be a hierarchy of needs. The public works department or fire department could be putting out fires or doing something else at the same time the flood gates are needed. Kyle said she thinks we need to protect our town buildings first and foremost, especially a public building that gets so much use. She said we discussed that since the library is usually the first to get hit based on where it is located in the floodplain, our public works department could put up flood gates preemptively, especially if it only takes 10 minutes. Our employees could put gates up the night before a possible flooding event. She doesn't think that is a huge ask.

Jason Whitehill asked about access to the flood gates. Eric said he assumes they will be in a locked box on the outside of the building and someone will have a key to the box.

A community member asked if anyone has seen floodgates work. Eric said yes, they have been used at Sterling Market and they work well.

Kyle said she thinks Jasmine and the library trustees would like to walk away with a consensus that the board absolutely will have someone in place who can manage the flood gates. She is very much in favor of our public works crew doing that. Brian Krause said he doesn't have a problem with that. Mike said he doesn't think we should ask anyone who works at the library to take care of it. He thinks the town needs to take care of it. Doug said he thinks we should do it first. Eric said it is probably not complicated to install them. The fire department should be briefed on them as well so that whoever is available can install them. Brian Krause said he thinks most often the public works department would do it ahead of time. Brian Story said at the training we had talked about how if the crew is going to run the roads, the first thing they could do when running the roads would be put up the gates. Even before they verify how bad the situation is anywhere else they could go to see how it looks behind the library and put up the gates while they are there. It has to get done early on because water comes up so quickly there.

Duncan suggested maybe establishing a list of volunteers who could do it if the town couldn't get to it for some reason. He personally would be willing to volunteer. Nat said as a contingency he thinks that is a good idea but he thinks we need to have someone in town take responsibility. Duncan agreed but said it would be good to have volunteers as a backup. Kyle said she would also be happy to be trained.

#### ***11. State Representatives – Outlook on the Upcoming Legislative Season***

Eric thanked the legislators for coming in. He said there are two positions the board has recently taken. One is with regard to a bill the senate passed giving a certain level of local control. That is in the house now. And the board signed a VLCT resolution because there is a strong indication that marijuana is going to be legalized in the next session.

Sen. Rich Westman said it is legal now, but it is not regulated. He wants a regulated market that allows municipalities to have a say. Rep. Matt Hill said it doesn't seem to him that marijuana legislation is high on the priority list for the legislature. There is a lot of unfinished business.

Rep. Hill described the business-related legislation he has been working on recently.

Rep. Dan Noyes said all the agencies that provide services all over Vermont have been helping to work on legislation planning for the coming shift in demographics. In 10 years, 1 in 4 Vermonters will be over the age of 65. It is not his committee that deals with the state college system but he has been down there every day talking to people about it. He thinks all the legislators here tonight graduated from Johnson State and they don't want to see it go anywhere. It is important.

Sen. Westman said he is all for getting money to the state college system. The problem is that half of all new revenue in recent years has gone to fund state employee retirement and teacher retirement. And the Green Mountain Care board has sent a letter to the governor's office saying they need \$13 million in state money for healthcare initiatives. Healthcare is being pitted against higher education. At this point he would do anything to make sure that the state college system got funded. He feels the most important thing in this county is the college.

Kyle asked, isn't there money for higher education, it's just that the majority of it goes to UVM? Is it a distribution issue more than a funding issue? Sen. Westman said Vermont is ranked 49th in the country for our contribution to higher education. Money goes to UVM, to the state college system and to VSAC to subsidize education for low income kids. He feels ranking 49th in the country is not a place we want to be. If we have a fight among UVM, state colleges and VSAC over funding we will never get more funding for education. An issue he plans to raise in the appropriations committee is that UVM gets about \$40 million a year and \$10 million of that is dedicated to UVM Medical. If you take that piece out they don't get any more than the state colleges. We don't have enough primary care doctors in Vermont. We are heading to a place where we have a crisis regarding primary care doctors. Johnson is an example. Johnson can't find a primary care doctor to take Paul Rogers' place. He would like to see the university medical school use its \$10 million to produce more primary care doctors.

Kim asked if some of the funding going to the college could be attached to programs that require new doctors to work in rural Vermont. Rich said yes, he feels UVM needs to produce primary care doctors and part of could be that they need to stay here.

Rep. Hill Matt said UVM and the state colleges get a similar amount of money but for the state colleges it is split among 5 schools. It does feel unfair but he agrees that we can't have infighting. The fact is that we are not funding higher education as we should and it needs to be better funded.

Rep. Noyes said everyone in the legislature knows we are having a crisis with primary care physicians because of the reimbursement rate to pay their college loans. He thinks that is a priority for the legislature and the Copley Board.

Sen. Westman said he thinks the \$10 million should be given with a requirement that UVM needs to produce primary care doctors and they need to stay here.

Beth Foy said we need more than just primary care doctors. Mansfield Orthopaedics, for instance, has brought a lot of revenue into our area.

Nat said he is glad that NVU has been the primary focus of this conversation. He feels that Northern Vermont University is part of the solution to the demographic problem that was mentioned earlier. A significant number of people are living in Vermont because of NVU.

Rep. Hill said the state college system has 80% Vermonters. We are investing in our people when we invest in the state colleges.

Doug said the road classification system in Vermont is falling apart because of the ANR rule regarding hydrologically connected roads. The part that is falling apart has to do with Class 4 roads. On Class 4 roads previously we only had to deal with water. Now we are mandated to take care of them as if they are third class roads. There are all sorts of expenses related to that. We have tasked our Planning Commission to look at what we should do with those roads. In the past we have not wanted to abandon Class 4 roads and turn them into trails as they are possibly helpful for the future. But now there is every financial incentive in favor of letting them go. That is losing some of our future – losing infrastructure and rights-of-way that would be nearly impossible to create again. If we turn these roads into trails they will be just as hydrologically connected to the rivers and streams but we won't have an obligation to maintain them as third class roads, which is going to be our job under the new requirements. We really could use the legislature to straighten that mess out for us.

Rep. Hill said there is going to be a lot of discussion about stormwater runoff, not only for municipalities but for businesses. We all want to make sure our lake and rivers are clean. We have federal requirements related to Lake Champlain that we have to implement and they have financial impacts on businesses and municipalities.

Sen. Westman said Stowe is one of the first towns in the county to have assessed what it will take to bring its roads into compliance to deal with the runoff to the lake. They are talking an increase to their town budget of between \$300,000 and \$500,000 a year for the next 20 years. They are talking about nearly 50 projects every year for the next sixteen years. If they are an example of what it will take to comply, we need a discussion about the timeline. Regarding that and the 3-acre stormwater rule, he suggests that the quicker towns can have on paper what it will require to become compliant, the more that will help the legislature. That will affect decisions the legislature makes.

Kim said the legislature has passed bills regarding energy and water that selectboards are supposed to implement but with no funding tied to the legislation. She feels the legislature should not pass these things without giving support to the municipalities. Sen. Westman said that can be difficult if the legislature doesn't know what the cost is. Kim said in that case they should not pass the legislation. Sen. Westman said that is way too simplistic. We have an agreement with the federal government that by 2035 we will have enough projects to reduce phosphorus going into Lake Champlain to meet their requirements. We had no choice but to agree to the 2035 deadline or the federal government would have told us what we were going to do. Kim asked if they gave us funding to do it. Sen. Westman said no. If we diligently try to meet some of those goals and we get to, say, 2030 and say there is no way we can meet the deadline they might work with us but if we haven't done anything the federal government is going to come in and tell us what we have to do. He encourages towns to give the legislature facts about what it will take, particularly at the town level, to get roads up to the standard. The more factual information the legislature has, the better. If the Stowe plan is representative of what will need to happen across the rest of the county, aside from the money we don't have the engineers to design the projects they are suggesting need to be

done. We couldn't physically do it if we had all the money in the world. But the legislature needs factual information. The state agreed to a deadline with the federal government. There are deadlines that fit with that. We need facts to be able to take to the legislature to say that the deadlines aren't realistic.

Rep. Hill said he thinks the state is going to start looking more at the impact agriculture is having on the lake and having agriculture reduce runoff as well in order to try to meet their goals.

Shayne Spence said the road issue is why he came out tonight. The unfunded mandate is part of the issue but part of the problem is also that instead of the legislature making the rules and figuring out what the impact on towns will be, the legislature gives ANR the authority to pass down the regulations. One rule is that if a road has a more than a 10 degree incline it has to be adjusted in something like the next five years and we can't do that. LCPC probably needs to look at the whole county and tell us what it will cost a town like Johnson or Wolcott that has a lot of hilly areas to comply.

Doug asked Brian Krause, hasn't LCPC been doing some work in Johnson on roads? Brian K. said yes; they did a road erosion survey.

Doug said if we change our classifications we don't have to change how we deal with roads. That puts a lot of pressure on us to be quite stupid. He hears that a lot of towns are planning to turn roads into trails. Those roads will be just as hydrologically connected no matter what their classification is.

Duncan said at least if the town turns them into legal trails the right of way still exists. The town would not lose the right of way. LCPC has enough funding to do about three surveys a year. They are not complete surveys that will provide a detailed report of what it will cost to comply with the permit. It will provide a listing of hydrologically connected roads with a certain percentage of slope. They won't say how much it is going to cost per year. Stowe has professional staff that is able to provide that information. Sen. Westman said Stowe hired an outside consultant.

Brian S. said Brian K. has done a great job of developing processes for scoping out projects and identifying what it will cost per segment. We are working on our planning.

Sen. Westman said the more information the legislature has, the better chance there is to push some deadlines back to get more realistic about what the state can contribute.

Greg Tatro said we should not forget that it is the people in the town that are going to pay for this. He feels that we can get the total daily phosphorus load to the target level by fixing farms. We can have an impact fee and that would solve the problem. We're going to spend tens of million dollars on roads and it is not going to have a lot of impact on Lake Champlain. The state should be concentrating on farms. He feels we have to get where the biggest impact is. New York doesn't have the same rules and the way he understands it, the

reason for that is that the Conservation Law Foundation sued the State of Vermont to get this law passed. He doesn't think they should have a say on how we run our state.

Rep. Hill said there have been many conversations in the legislature about how farms are the best investment of money on this issue.

Scott Meyer said he sees that Burlington is consistently discharging into the lake but the city is developing at a high rate. If we ever discharged effluent into the river we would be dragged through the mud but Burlington has an overtaxed system and is continuing to develop. It seems like bigger cities in Vermont are unchecked although they're having a bigger impact. He also thinks farming communities need to step up.

### ***12. Proposed Update to e911 Street Naming Policy***

Brian said we have what we have referred to as a road naming ordinance, but it is really a policy. The Historical Society has proposed an update to that policy to better reflect their role. The policy makes reference to consulting the Historical Society when we have to name a road but their role is not well-defined.

Duncan said the Historical Society thought it would be appropriate to put forth a proposal that makes it more clear what the actual involvement of the Historical Society would be in this process. He feels that the town should amend its 911 street naming ordinance. He feels this should be in the ordinance rather than in policy. The basic concept is that a road name request would go to the Historical Society and the Historical Society would solicit names from the developer or resident of the road. They would try to have a consensus process with a name recommended to the board that was agreed upon with the owner or developer, but their intent would be to assign a name with some level of historic significance.

Kyle asked, and then the selectboard would have the final vote? Duncan said yes. If the developer or people living on the road couldn't come to an agreement with the Historical Society they would be able to propose a name to the selectboard as well.

Beth Foy asked who typically does this in other towns. She questions the Historical Society being the ones to do it in Johnson. Eric said it depends on the town. Ultimately it is up to the selectboard. In the past we have had our listers doing it but because we no longer have listers we passed it on to the Historical Society with the thought that there could be some historical significance that we would want to capture.

Beth said she gets that, but she doesn't understand why there is an effort to change it from a policy to an ordinance. Historical Society membership may change over time and there may not always be good representation on the Historical Society, but the selectboard will always be well represented. She just doesn't understand why we would change it from a policy to an ordinance.

Brian S. said that won't change anything. This is how we have been doing it; this is just formalizing the relationship.

Beth said a policy is formal. Duncan said a policy is non-binding. The ordinance now leaves it up to the selectboard. In the proposal the ultimate decision is still the selectboard's. Brian said this formalizes that we will ask the Historical Society for input. We don't have to wait for their input and we don't have to follow their input. Everything is still up to the selectboard. This just commits us to definitely asking the Historical Society for input. If the Historical Society had no members, it would still be up to the selectboard. It doesn't obligate us to do anything other than ask, which we are currently doing.

Duncan said the point of 911 road naming is to provide emergency services with no confusion by not having similar names or similar addresses in different towns. The Historical Society's proposal requires the selectboard to submit proposed road names to the US Postal Service and to emergency service providers to make sure there is no conflict. There are at least a couple of situations we know of where there are identical road names and addresses between Johnson and Eden. That is not supposed to happen and that is a real issue for emergency responders. This would hopefully eliminate that.

Jackie Stanton asked, why formalize the system if it has been working? Eric said we informally asked the Historical Society some years ago to take this on and the Historical Society wondered what their role was and questioned why they were involved so we tried to formalize it.

Duncan said this is to try to clarify a formal role for the Historical Society. They believe it is a good idea to try to have road names that have historical significance. A number of communities throughout the state have their historical societies perform this roll. It is all right if the selectboard wants to come up with road names without the Historical Society's involvement but a critical piece that the ordinance doesn't currently require is submitting proposed names to the Postal Service and emergency services. That really needs to happen regardless of the Historical Society's involvement.

**Doug moved to adopt the road naming policy proposed by the Historical Society, Nat seconded and the motion was passed.**

### ***13. Discussion on Establishing Finance Committee***

Duncan said he proposed that the board at least consider the possibility of establishing of finance committee or budget advisory committee. It would be a committee made up of members of the general citizenry and the selectboard would set the parameters as to what they wanted the committee to review. Cambridge has had such a committee since 1974. They have a citizen group of seven or nine members appointed by the selectboard. The committee looks at specific areas of the budget which have been designated by the board for review- for instance budgets for the library, committees, etc. They do not look at the highway budget or the selectboard budget for consultants, office staff, operation of the office, etc. They mostly look at appropriations. The committees talk to the Finance Committee and that committee comes with a recommendation to the board. If the other committees don't agree they can come to the board directly. Duncan thinks it is a good idea because there are people in the community who are smart and connected to the business community and used to working with finances. This would give an opportunity for the selectboard to get some additional community input into the budget process. It would give citizens a little investment into the

budget process. Cambridge's experience is that it makes the process of building and passing a budget easier because they have members of the budget advisory group to go to town meeting and say they support the budget. They tried to get some fiscally conservative people on their budget committee. He thinks there is a lot of talent in the community that would be good to use.

Eric said it is a little late to establish it for this year. The board has discussed it briefly. The selectboard would like to hear from people present tonight whether they see value in a budget advisory committee.

Shayne Spence said he would come to meetings. Lynda Hill said she sees value in it, but it's hard enough to get people to volunteer to do simple things and this is not a simple thing.

A community member asked how many members Cambridge's Finance Committee has. Duncan said he thinks it is 7 to 9, typically 7. There is a state statute that allows citizens to petition to establish a budget advisory committee. He personally doesn't think that is the right way to do it. He would much rather have the committee appointed by the selectboard with people able to put in their names for consideration. If the selectboard is not interested in establishing the committee he would consider starting a petition asking the board to do so but he would prefer that the impetus come from the board.

Doug asked what is broken about the present process. Duncan said it is an enormous amount of work for the administrator and the board. It's not necessarily broken but there are good people who have good ideas in the community who might be able to contribute to the budget process and that the town is not getting input from. A finance committee could consider appropriations and budgets of other committees. They could provide a level of review that the selectboard wouldn't have to do because they would get a recommendation from the budget committee.

Kim asked Rosemary's opinion. Rosemary said she thinks it is a great idea.

Beth said she thinks it would be dangerous to have a committee of less than about five people reviewing a lot of budget items. If there are a few people with strong personalities the board takes the risk of getting their opinions rather than a collective view. She would caution that the selectboard should be sure a specific number of seats are filled during the review process and if there aren't that number then the selectboard should take responsibility for all the budget review. Duncan said the board would have ultimate responsibility anyway. Beth said if the select board is only hearing from one or two people it won't be a rigorous process.

Kim said it could be done as a probationary thing just to try it out and if it doesn't work out it could be disbanded. Jason said as a younger voter, he likes the idea of a group of people looking at the budget, so it's not one-sided. Beth said she likes the idea conceptually. Jason said maybe there could be a requirement that they can't have a meeting unless a certain number of people are present.

Doug said his concern is that money is connected to policy and he doesn't necessarily want to abdicate policy decisions outside the board. We had tried to solicit involvement of people when Brian was working on the numbers. Did Brian get any people to come to that? Brian said he hasn't promoted an open meeting yet but he is planning on it in the next couple of weeks. He thinks that is a good way to take the temperature of the room. If we pick out a date around January 1 or 2 in the evening he can run through the budget draft in progress and work with people on it and see if we will have attendance. When he has done this before he hasn't had attendance. Duncan said he thinks that is a very different thing and a different expectation than creating an advisory committee. He doesn't think that would give an accurate reading on interest.

Duncan said he would suggest that the board at least consider including an article at town meeting on forming a budget committee so voters could talk about it and decide if it is something they see value in. He doesn't see a downside to that.

Scott said he is surprised at the pushback. He thinks it is a great idea. You don't know how things are going to work unless you try it.

Mike said he is also surprised at the pushback. He brought this forth in early summer. It works very well for Cambridge. Initially this board seemed to be on board with the idea but the second time we talked about it then roadblocks came out. He thinks it is good to have citizen participation. It brings more people into government to see what government is doing for the community. Let's give it a try and if it doesn't work out then we can move on.

Kyle said she doesn't think we are putting up roadblocks. She thinks we are just discussing the logistics. The board studies the budget so many times. She has some concern about taking pieces out and not studying them but having the advisory board look at them. She is just trying to figure out how all the pieces would come together. Ultimately the selectboard would present the budget and we are responsible for it so she wants to make sure that we would be comfortable with it.

Shayne asked about how it works in other towns. Mike said Cambridge says it works well for them. They get people to speak to the budget at town meeting - regular people who are sitting in the audience. He disagrees about roadblocks. He feels this idea was dead in the water after the second discussion. It is only after Duncan brought it up that we are discussing doing it. If it hadn't been for Duncan we wouldn't be talking about it right now.

Duncan said in Cambridge the committee is appointed by the selectboard. The board could smart start very small and just say that they want a committee to review, for example, three areas of the budget. The board might say that we want to see all budgets coming in with no more than a certain percentage increase. The Historical Society, instead of giving its proposed budget to Brian directly, would go to the budget advisory committee. And then the budget would be put in for the selectboard's consideration. He can think of hundreds of times when as a former town administrator he would draft a proposal for the board and board members would look at it and bring up things that he hadn't thought of and the end result was a better product because more people were involved. That is what he thinks the potential

value is of having a budget advisory committee. Does the selectboard want a budget committee or do they want Duncan to put in a petition about one? Or does the selectboard itself want to make it an article on the town meeting warning?

Lois said she thinks having a budget committee could be helpful to the volunteer groups that are developing budgets.

Duncan said the Cambridge finance committee probably meets four or five times total each year.

Eric said we don't have time to put something together for this year. If the board agrees with the idea in concept it would be something we would have until next year to establish. Kyle asked if Brian Story would oversee it. Who would manage it? Eric said he guesses the selectboard would provide marching orders. Duncan said this year, for example, the Cambridge selectboard gave no marching orders whatsoever to the Cambridge finance committee. They just asked it to review the budgets. Brian said they are also figuring out how their budget committee interacts with their administrator since they haven't had a town administrator.

Nat said he sees deciding on priorities as a core selectboard responsibility. We are going to ask volunteers to study the budget and come back to us. If we don't take their recommendations it could make the volunteers feel like they wasted their time because the selectboard overruled them. He wouldn't want the selectboard to have a lesser amount of review or to have the finance committee lighten the selectboard load. But if there is a great deal of interest in serving on the committee and it can provide another level of oversight before the budget goes to town meeting he is open to investigating the idea.

Doug said he thinks the committee should report to Brian and Brian would incorporate its suggestions in the budget. He would evaluate their suggestions and tell us what the committee thought and what he thinks. He would like it to be rationalized at that level before it comes to us. Nat said he likes that idea.

Mike moved to form a Town of Johnson Budget Advisory Committee. The motion was not seconded. Nat said this is too vague for him. He thinks we need to continue working on the structure, number of members, etc.

Eric said he thinks what the board needs to provide to Duncan tonight is an answer as to whether the board is interested in this concept. Duncan said if the board has no interest he would consider circulating a petition to have an article on the town meeting warning about asking the selectboard to establish a budget advisory committee. That would just be an advisory vote and the selectboard could decide not to honor it. If the board is not interested in establishing a budget advisory committee, would the board at least consider putting an article on the town meeting morning versus Duncan having to circulate a petition?

Board members indicated that in concept they are interested in the idea of a budget advisory committee.

Scott suggested establishing a date by which a decision will be made. Eric said it is something we would work on for next year.

Duncan said he thinks there is value in having townwide discussion about it. He would suggest putting it on as an article for town meeting.

Scott asked when Duncan would need to know whether or not to put in a petition. Rosemary said by the middle of January.

Mike again moved to form a budget advisory committee for the Town of Johnson and to work out the details later. The motion was not seconded.

Jason said he takes it that the board is not saying no to the idea; they're just trying to figure out how it will work.

Kim asked if the motion could just be that the question will be warned for town meeting. Eric said he would support having an article if there is consensus to put it before the voters on town meeting day. He said he senses that a majority of board members would be in favor of putting it on as an article.

Jason asked if there is anything binding the board to action. Eric said no; the board could undo anything that they previously did. Jason said he thinks everyone present wants to know what the next step is. Doug said people should trust that the selectboard will create this by next year.

Duncan said even if he circulates a petition it is the board's prerogative not to create the committee. He doesn't see any disadvantage in having the board include an article for town meeting about establishing a budget advisory committee.

**Mike moved to including an article in the warning for town meeting with the wording suggested by Duncan Hastings: *Shall the selectmen appoint a budget advisory committee of resident taxpayers of the Town of Johnson as a finance committee for the purpose of initial review and evaluation of budget requests of departments, committees, boards and organizations connected to the Town of Johnson budget and to recommend their findings to the members of the Johnson selectboard, who shall have the final decision over those proposed budgets?***

There was a comment that the wording makes it sound like the committee would review the budgets of all departments, committees and boards. Duncan said the selectboard could adjust the wording to indicate that it would be such committees as the board deems appropriate.

Brian said there will be a meeting where the selectboard will set all of the articles to be on the morning. That will be when the board can be held accountable on this. When they are creating the warning either they will include this one or not.

**Mike agreed to the friendly amendment of changing “selectmen” to “selectboard members.” Nat seconded.**

Scott said there was a comment made earlier that the committee should report to Brian and not the selectboard. Should that be part of the wording?

Duncan said he has no issue with that. He said if the board wants this to go for a vote at town meeting the board should be prepared and have a proposal. Nat said we frequently put things in the warning that we don't take a position on one way or the other. But if the board is putting this in the warning of its own volition it would be reasonable to have a position.

Doug said he would vote in favor of the motion if it speaks to the concern Scott brought up. Scott suggested amending the motion. Nat said this is a very general concept that doesn't include those sorts of specifics. Duncan said the board still has time to wordsmith the article up until the warning is printed.

**The motion was passed with Doug and Kyle voting no and the other 3 members voting in favor.**

***14. Executive Session to Discuss Communications from the Town's Attorney***

**Mike moved to find that premature general public knowledge regarding communication with the town's attorney regarding the possible formation of a union by town employees would clearly place the town at a substantial disadvantage because the selectboard risks disclosing privileged communications and to enter into executive session to discuss attorney-client communication under the provisions of Title 1, Section 313(a)(1), inviting Rosemary, Brian Krause and Brian Story to remain, Nat seconded, the motion was passed and the board entered executive session at 9:35.** The board came out of executive session at 10:00.

***15. Discussion of a Petition to Form a Collective Bargaining Unit***

**Nat moved to acknowledge receipt of a petition for collective bargaining representation for the public works department and to request a consent vote, Doug seconded and the motion was passed.** Brian said he will follow up on this.

***16. Town Employee Compensation Rates for 2020***

Brian provided figures for a couple of different scenarios: 2% and 3% raises for office and highway employees. He asked if the village talked about salary increases for Rosemary at the last trustee board meeting. Rosemary said no. Brian said Rosemary and Jan are the last remaining joint positions. Eric said the town and village will be paying them separately, though. Rosemary said one complication with that is the issue of retirement. Brian asked if we can issue one paycheck with pay at two different rates. Rosemary said yes

Eric said he recalls that Brian said about a 2% raise is what employees need to stay whole with increases in healthcare costs. Brian agreed. Eric asked what the impact of a 2% increase in employee compensation is for the town. Brian said we budgeted for a 3% salary increase. But we did not budget for an increase in healthcare cost of this size. He thinks our estimated healthcare increase was 6% and the actual increase is 15.3%. Eric reminded the board that the pay increases will start January 1. We budgeted to start giving increases in January to coincide with when insurance rates change.

Kim asked, when the board increases funding to support healthcare costs, that's not considered an increase in employee compensation? Eric said it's an increase in their total benefits package. Kim asked, when the board talks about a 2% increase, that is 2% above and beyond the increase to cover their health care cost? Lynda asked what percentage of their healthcare they pay. Eric said the town pays 91% and the employee pays 9%. Lynda asked, that's a lot less than what school teachers pay, right? Don't they pay around 15%? Eric said he doesn't know.

Kim asked if the 91/9 split is a done deal. Eric said yes. Kim asked what the percentage increase is for the town's share of healthcare costs. Eric said it looks like about a \$200 increase per employee. Mike said it's an average \$2500 increase; that's \$1.20 per hour. If you give a 2% (40 cent) raise on top of that, it's \$1.60 an hour. Eric said he believes the annual insurance cost is currently \$16,181 and for next year it will go up to \$18,662. Rosemary said those figures are only for 2-person plans. Eric said he is not sure what portion of that is the town's contribution. Brian said the figures he showed were for the most commonly used plan for our employees, which is the 2-person plan.

Eric asked what the total increase to the town is for insurance cost. Brian said public works department and office staff figures are separate in the budget. Insurance cost for public works employees will go up by roughly \$8,500. For office staff, we didn't have Lisa, the rec coordinator, last year. Our insurance costs will go up by about \$15,000. That includes the increase for Lisa and the increase in rate. Rosemary said Lisa is getting a payment in lieu of insurance right now. Brian said taking that into consideration then our increase is down to about \$8,700.

Eric said we're looking at an increase of about \$17,000 total. How much did we budget for an increase in January?

Scott asked if that figure is the combined cost for the town and the employee. Brian said that is just the town's contribution. Eric said it's hard to say what the increase will be for employees because it depends on their plan.

Brian said we budgeted for a 5% increase as of January, not including the cost for Lisa. It would be \$17,000 for the entire year so from January to the end of the year it comes down to \$8,500. Eric said we budgeted about \$5,000 so we are short \$3,500 in our budget. Brian agreed. Kim asked, that is without a raise? Eric and Brian said yes, this is just for healthcare.

Eric said we budgeted 3% for a pay increase. With the cushion in what we budgeted for a pay increase and the healthcare we may be able to level budget. He asked how much money 3% for all employees is. Brian said about \$3,000 for 6 months. The average impact per employee is about \$0.60 an hour. For office employees it's about \$3,000 for 6 months. For public works employees it would be about \$2,000 for 6 months

Eric said that is a total of \$5,000. If we subtract the \$3,500 increase for healthcare that leaves us with \$1,500 that we budgeted for. Mike said so we are looking at a 1% pay raise. Eric said about a one and a half percent raise would about equal what we budgeted.

Scott said he wants to bring up that this year the Social Security cost of living increase is 1.6%. For workers he came up with an estimated cost of living increase of 1.7%. These are the residents who are paying the employees' salaries. There are high taxes in Vermont and these kinds of compensation packages aren't sustainable.

Lynda Hill said she thinks the board will have trouble at town meeting. She thinks people will look not just at teachers but at other communities where employees don't have such a good benefit package. Our town and village employees have it pretty good. She agrees with Scott.

Doug said the average public works department pre-tax take-home pay is \$48,000 a year. Is that appropriate for what they do? Lynda said that is their take-home pay. It doesn't include their insurance. She agrees that is not an unreasonable amount of pay but there are a lot of people who make a lot less money than that and have to pay for their health care out of pocket.

Beth asked if the board looks at studies when deciding on salaries. Eric said every couple of years we get a salary study from VLCT. We have always tried to be competitive, at or just above the average.

Brian said some other places, like the sheriff's department, pay less for health insurance but a number of them pay a portion of their employees' deductibles. They may pay 75% of the health insurance premium cost but then also pay a percentage of the deductible. We don't pay any of the deductible. We like that because it is relatively predictable, but there are some years when it definitely costs us more than if we did it the other way. That is something that we definitely want to consider.

Scott said before the last meeting he looked at some information to determine the average salary in the town of Johnson. He doesn't have the document with him now but it was around \$20,000 or \$30,000. It is time to have a candid conversation with the people who are funding this town and the village about what is sustainable. There is also work the village trustees need to do.

Lynda said the employees complain a lot so the board hears them over and over. Eric said the board hears both sides. We hear from taxpayers who can't pay their taxes. We do salary studies looking at people doing the same job in the same size communities and we try to be competitive. We have to pay the going rate or we will lose employees. When he first got on the school board the board would decide to put off purchases because of school budget increases but every year the school kept having the same kind of increases and finally the selectboard decided that we can't be affected by the school spending; we have to do what's best for the town. The problem is that the selectboard is the face of the community. We are the ones the taxpayers look at. But three-quarters of their tax bill is due to school taxes and

we can't make up that difference. Even if we level-funded the town budget we couldn't come close to keeping everyone's taxes the same because of the school district.

Eric said a one and a half percent increase is pretty close to being in line with what we budgeted along with the insurance increase. Anything over a one and a half percent increase and we will be over our budget.

Doug said we have uncontrollable expenses for health insurance and it is financial death for people not to have medical insurance. There's a complete inadequacy of the medical program on the national level which is pushed down to us. He doesn't think our employees take home too much money. He thinks that the percentage of their insurance we pay is high, especially compared to teachers. But it is hard to change the budget these people are living on. And yet you have the other side. He doesn't know.

Kyle asked what percentage increase we gave last year. Brian said he thinks we compromise with the village on 2.5% Mike said one year we gave a 1% increase. Brian said with the increase in their health insurance, with a 1% increase employees would be taking home less than they did last year. They would need roughly a 2% increase to take home what they are taking home now. Eric said it may depend on the individual employee and what insurance they selected. Brian said it would be about 1.9% for most employees.

Nat said he doesn't think we should increase more than we budgeted for.

Brian said there are quite a few communities around the state who are trying to hire public works employees. Nat said Wolcott pays for 100% of health insurance. They also have a hard time attracting employees. There could be workplace culture issues there. Mike said there are probably other issues affecting that. It's not necessarily a dollar and cents issue.

Doug said if we give an increase under 1.9% employees will be making less and if we give an increase of over 1.5% we are over budget.

Mike said his costs continue to go up and he doesn't get compensated so that he maintains parity and a lot of other people in the community are in the same situation. They don't have the luxury of someone making up the difference for them so that they maintain parity. We are paying too much.

Doug asked, what is our ability to retain our people if they see their take-home pay going down? Rosemary said they may look elsewhere.

Eric said when Rosemary went out for Jan's replacement she must have had a number in her head that she was going to offer for salary. Rosemary said she hadn't gotten that far yet. Eric said if there are some good candidates it will have to be a competitive rate. Are we competitive? Rosemary said probably. Doug asked if Rosemary would expect any savings there. Rosemary said not much.

Scott said the board should remember that the town has a tax base that also has the ability to leave and businesses that haven't come into our community yet. The selectboard has to look at both sides of the coin. There are many people living in Johnson and commuting into Chittenden County for work. He thinks if there was a job opening in our town with a decent salary and great benefits there would be workers ready to take it.

Beth said she agrees with Scott. We have a good benefits package. We pay competitively within this area. If someone leaves we will fill that position with someone equally as skilled. We shouldn't make decisions out of fear. People don't leave jobs because of money; they leave jobs because they are unhappy with their job. It is almost never about money. If people aren't happy and motivated in their job it's about the culture in which they work.

Doug asked what percentage of our taxes comes from our tax base and what percentage comes from other sources. Eric said that is hard to determine. It depends on the budget and what revenue we have coming in that year. Brian said it does vary but we do keep track of the amount to be raised by taxes. Last year about two-thirds of our money came in from taxes. That was relatively high compared to some other years.

Doug asked, what about tax equalization and prebates? Brian said those don't rise as fast as our needs. Rosemary said most of the prebates are for school taxes.

Brian said for the last few years the amount raised from non-tax sources has declined. That means that even if the budget remained level the amount we have to raise from taxes has increased.

Doug asked what percentage of our budget is salary. Eric said that is not a good apples-to-apples comparison because the total budget can vary a lot from year to year due to grants. To raise a little more than \$20K takes a penny on the grand list.

Doug said other things like NEMS are going up just as much as what we are talking about. Brian said sources we can't control are going up around 3%.

Doug said he views either of these choices as a race to the bottom – either paying our employees less and not keeping them or taxing people too much in order to keep employees here.

Brian said last year salaries alone made up 17% of our budget. He said the sheriff's budget is going to increase by 3%

Nat moved to give town employees a 1% pay increase for 2020. The motion was not seconded.

**Doug moved to give town employees a 1.5% increase, Kyle seconded and the motion was passed with Mike opposed and Nat abstaining.**

***17. Warning for Sale of Trailer***

**Mike moved to amend the date on the warning and sign the warning to sell the trailer acquired at tax sale and the motion was seconded and passed.**

***18. Adoption of Dilapidated Building Ordinance***

**Doug moved to adopt the proposed dilapidated building ordinance, Mike seconded and the motion was passed.**

***19. Budget Update***

Eric said Duncan and Dean West would like to come to the board's next budget meeting to discuss finalizing payment for the Holcomb House.

***20. Adjourn***

Due to the late hour, the board agreed to postpone other agenda items until a future meeting. The meeting was adjourned at 10:56.

*Minutes submitted by Donna Griffiths*

UNAPPROVED