

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, DECEMBER 17, 2018

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Brian Krause, Sharon Duffy, Kim Dunkley, Jessica Bickford, Lois Frey, Charles Gallanter, Rob Rodriguez, Casey Romero, Lea Kilvadyova, Shayne Spence, Will Angier, Brian Vandorn, Duncan Hastings, one other community member

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 7:00.

2. Additions, Changes to Agenda

Doug added discussion of fiber in the community. Nat said he wanted to touch on open issues from the list he passed around a few months ago.

3. Review and Approve Minutes of Meetings Past

Doug moved to approve the minutes of November 19 and December 3, 2018, with the date on the November 19 minutes corrected, Mike seconded and the motion was passed.

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

Brian S. said it looks like current taxes are pretty much in line with past years. Eric said expenditures are at about 56% of budget and we are 42% of the way through the fiscal year. Revenue is at 89% of budget. Brian said he spoke to Rosemary about the budget status report and she said we are pretty well on track for typical spending.

5. Road Commissioner/Road Foreman Report and Action Items

Brian K. said his crew has been doing nothing but taking care of the roads. They have been out plowing many more times than in a typical year. One employee has 100 hours of overtime and one he believes has 110 hours. The rest are lower.

Brian S. asked how our sand prices are. Do they change much from year to year? Brian K. said they are fairly steady. We have been buying 50% of our sand and using our own for the rest.

Eric asked if there is any concern with salt availability this year. Brian said not so far. He will probably resupply our shed and that will probably mean going over budget but depending on what happens with the weather the salt should last a good while.

Nat said he is concerned about the bore study on the gravel. It seems like we had been wanting to get something before town meeting day so we could go to the voters if we wanted to purchase adjacent property. (Casey Romero arrived at 7:06.) Brian S. said he has not made significant progress on that. He reached out to a couple more people and he thinks we have someone who understands what we want out of our report. Nat said if we wanted to buy property we wouldn't be ready for a vote by town meeting. We would have to negotiate with the landowner first. Mike said we would need a special town meeting. Doug said he would have to recuse himself from any vote related to the bore study because of a conflict. (Brian K. left at 7:08.)

6. *Planning Commission Report and Action Items*

Kim Dunkley said the Planning Commission had a visit from Lea Kilvadyova and Mark Woodward. Lea threw out the fact that to be eligible for municipal grants we have to be actively planning. Lea suggested looking at tasks and policies in the town/village plan. That is something for the board to note. If the board sees a task or policy it looks like the Planning Commission could go forward on, that would make our town actively planning and able to receive grants.

The Planning Commission talked about communication and being more aware of things LCPC and the town are doing, for instance with the Jewett property. Lea used to come to their meetings and they don't have that anymore. Figuring out a way to communicate better with the town would be appreciated.

Lea told the Planning Commission that grant writers are available through the Vermont Housing & Conservation Board. Phil Wilson thought it was through the Agency of Commerce and Community Development. They could help Meredith or Brian.

The Planning Commission sent Brian S. the revised energy chapter. Kim's understanding is that now the town has to have two meetings about it and the village has to have one, then the town will request certification and after that if something occurred in our town that we didn't like we would have more input with LCPC and the state.

The Planning Commission talked about broadband with Mark Woodward. He talked about needing more support for legislation changes to help Vermont Electric Coop. Her understanding is that 90% of the village core already uses Consolidated Communications, which makes bringing in broadband harder because the need isn't big enough. Two other people from the Planning Commission attended a meeting the next day with the Public Service Commissioner at LCPC and may have attended another meeting about broadband. One statistic Mark Woodward brought up was that every dollar invested in broadband gives a \$4 boost to the community. The Planning Commission feels the need for broadband is important. It would draw in more professionals. Phil said he heard Rural Development has \$200 million for broadband. They want to look into that.

The Planning Commission is considering whether to pursue work on river corridors. There are some steps we could take related to flood resilience, identifying flood hazards, etc. that would get us 1% more money if we had a flood problem. The Planning Commission wants to know if the town is interested in the Planning Commission working on this.

Kim said Lea mentioned there was an outdoor recreation grant that expired. An outdoor recreation grants would be awesome for Johnson. We still don't have signage for rail trail parking and it would be awesome to have another canoe put-in.

Charles Gallanter said the Planning Commission is looking for direction. For instance, the village wants to expand its water and sewer and Doug has pointed out that the Planning Commission probably ought to plan where we want sewer and water. Eric said it's too premature to give them that direction. As soon as the town and village come up with an

agreement about what we will accept from each other then he thinks it would go to the Planning Commission.

Charles asked if the selectboard wants the Planning Commission to be involved in development of the new industrial park. And which one are we interested in? Eric said we are applying for grants for the Jewett property and the property on River Road. Both prongs are out there but grant money hasn't materialized yet.

Charles said from talking to his neighbors he feels people would be really interested in pursuing broadband, more than river corridors. Doug said he thinks nothing would have more benefit to Johnson than broadband. River corridors is a complex thing. Charles said his understanding is that by imposing more restrictions on development along river corridors, which are very ill-defined and constantly changing, we would get more state money. Currently he thinks we get 75% from FEMA and we have taken several steps that allow us to get state funds for some portion of the remaining 25%. If we adopt river corridors we can get an additional 2.5% of the cost at the expense of taking property from property owners. Doug said it needs to be studied in detail. Charles said that takes time and effort, of which we have a limit. He has not met anyone who is opposed to getting better broadband. He has met people who are opposed to river corridors.

Doug said he feels we need a work session on this. Brian said he thinks river corridors is an interesting project and it might end up on our plate whether we want it or not. He has heard that in the future water use permits might reflect the state's understanding of river corridors so having some input on how they are drawn could benefit us. He thinks adopting river corridors makes us eligible for flood insurance reduction for homeowners. Personally he thinks broadband is a good opportunity to take advantage of right now and river corridors is something to keep an eye on.

Doug said he thinks the selectboard should have a visioning meeting to plan our goals and Planning Commission goals. Eric said at our regular meeting we don't have enough time to hear all the Planning Commission's thoughts. Kim said Lea directed the Planning Commission back to the town/village plan to look at the tasks and policies in there. Eric suggested a meeting for this could be in late January or early February.

Brian S. said the village meeting on the energy plan will be in February so he suggested the first town one could be in January and the second in February.

Eric said the selectboard has a Planning Commission report on the agenda as part of its regular meetings. Is there any communication like that with the village? Kim said not that she knows of. Charles noted that there is a village trustee on the Planning Commission.

7. *Frank & Giselle Eldred Improper Garbage Disposal Complaints*

Brian said the Eldreds complained about garbage on their neighbors' property on River Road. Sharon and Tracy have been trying to serve the neighbors with a citation. (*Shayne Spence arrived at 7:28.*) Sharon said when she went there she did not see garbage bags. She saw things like metal and furniture. These issues have been ongoing. Another concern is a stream

flowing through the property. She doesn't know if there is any garbage near the stream. (*Lea Kilvadyova arrived at 7:31.*)

Eric said we have probably been dealing with this property for a decade or so. We issue citations and order them to clean things up but nothing gets done. At one point we turned it over to the state and he doesn't think they had any luck.

Sharon said the owners have limited income so she doesn't think getting rid of all the garbage will happen quickly.

Eric said the latest complaint was about garbage migrating to the neighbors' access. Sharon said she hasn't seen anything going into the road or blocking anyone's drive.

Doug asked if there is a mobile home on the property. Eric said the one we just abated. Sharon said she didn't see it. They have a new trailer. Doug asked if Sharon asked them where it went. Sharon said she hasn't had an opportunity to speak with them yet. Doug said he thinks that ought to be done.

Nat asked, we have given them citations in the past? Sharon said she hasn't. Duncan told her not to bother. We will be issuing them a citation.

Nat said we took another property owner to court for back tickets. The judge said he only needed to pay part of the amount and he was put on a payment plan. He still hasn't cleaned up the trash.

Brian said we need the state's help to get anything done with this but he still supports issuing a citation. Our ordinance is applicable.

Eric asked what we will do after we issue citations. Do we try to get the state involved again? Do we spend our legal dollars?

Kim asked if the town can ask the sheriff's department to issue a citation. Brian said someone from the sheriff's department will accompany the constables when they go to issue the citation.

Nat asked, if the owners don't have the money to move the garbage, how is it supposed to happen? Casey Romero said Morrisville got money from somewhere to get a yard cleaned out. Kim said maybe United Way could help. Sharon said she agrees that is a great idea. Help can be offered but the owners may not want to take it.

Doug said he thinks we owe it to our other citizens to pursue this. Nat said we can re-engage the state. Brian said we have an investigator assigned to the case.

Doug said he thought Mike had some information about the whereabouts of the mobile home. Mike said someone told him they thought it was buried.

8. Administrator's Report and Action Items

Brian said we talked last month about new language for our overweight permits and about setting restrictions on permits. When we issue an overweight permit any exceptions to it are applicable to everyone who has a permit. (*Sharon left at 7:41.*) In the past we had no travel in mud season without special permission. By statute people can call Brian Story, Brian Krause, or a selectboard member for permission. That works but it is a little hard to keep track of and if we were to try to have an enforcement action it would be hard to prove they didn't have permission. That is a very common way of granting exceptions and it is not wrong. Typically we grant an exception if it is cold enough. In the proposed new language we try to lay out when we think they can drive with no issue. It says from February 1 to March 31 vehicles can be on the road when temperatures are below 25 F or by special permission of the road foreman. By laying this out we are creating a more generalized exception so we won't have to grant verbal permission often and verbal permissions will be easier to keep track of. It should reduce confusion about whether there is permission. Brian talked to DMV and they think they could issue tickets based on this wording. A central point related to enforceability of weight limits is that you can't trap someone. When they leave for their trip, the temperature has to be 25 or below but if it warms up when they are still in transit we wouldn't be able to issue a ticket. We can't trap them out on the road; they get to finish their trip.

Eric asked how we know when they started their trip. Brian said that would be difficult for us or them to prove.

Doug asked where the temperature would have to be 25. Brian said presumably where they started their trip. The problem with using a central location is how anyone would read the temperature at that location. We could say it has to be 25 degrees at the town garage, but how does anyone else know what temperature it is there? Doug said he thinks we have no way of knowing what the temperature is at their location when they start. Sometimes it will be pretty clear, but not always. Brian said that is why the cutoff is 25 and not 30. That provides a cushion for variability. It still assumes a certain amount of cooperation from drivers. We can continue to give verbal permission for times when we want to make exceptions. That is what most towns he knows of do. DMV is trying to move us away from that because they say it makes it difficult for them to enforce.

Eric said most people are good about this. Brian agreed; typically people want to work with us. Eric said we seldom have people on the roads when they shouldn't be so we shouldn't have many problems with the proposed language.

Mike asked how much of a problem we have with the current language. Brian said not much. Mike said this proposed language takes away the possibility of a selectboard member giving permission. Doug said he thinks the state is trying to solve a problem that doesn't exist at the town level. He asked if we are usually getting voluntary compliance. Brian said we usually are. He said we can't cite someone for having an overweight vehicle retroactively based on road damage. We have to have someone get out there and weigh them. That's where complying with the state's request is helpful. We are a little more likely to get the state to show up in a timely manner.

Doug asked what Brian K. thinks about the proposed change. Brian S. said Brian K. likes the new language but thinks it is a little restrictive. He doesn't know how often this will save him from having to issue verbal permission. If people take this too literally and think they no longer have to have a personal relationship with Brian, they could start out when it was cold enough and then it could warm up and there could be problems but we could not take any action.

Doug asked, if it's 25 degrees when you leave in the morning, can you haul logs all day? What does it mean to be on the road? Brian said he thinks that would have to be resolved in court. The question would be whether the driver had an opportunity to stop. Eric said he thinks any reputable logger would look at the wording and make a good decision.

Mike suggested just adding a requirement to get permission from the road foreman to the current language. Brian said he doesn't think we can take ability to give permission away from the selectboard but by saying the driver has to get permission from the road foreman, communication with the selectboard is not involved.

Mike moved to change the current overweight permit language from “no travel in mud season without special permission” to “no travel in mud season without special permission of the Road Foreman.” Doug seconded and the motion was passed.

Brian said currently we charge the same fee for any application for work in a right of way – a \$65 fee and a \$10 recording fee. We occasionally require an additional deposit if we think the road work could potentially damage the road. The permittee gets the money back if there is no damage to the road. We got a request from a homeowner about possibly waiving the fee for snow plowing and other maintenance on Class 4 roads.

Nat said it doesn't make sense to him to charge a fee in the case of Rob Rodriguez on Reservoir Road. He plows and sands and maintains the road, which is good for the community. Rob said his neighbors do work too. Nat said he doesn't think it is reasonable that Rob should have to pay a fee to plow his own road. Does he have to apply for a permit every time it snows or does he get one permit for the whole season?

Rob said every winter he has to plow Reservoir Road if he wants to get home. In spring after mud season he drags a rake to smooth it and after deer hunting he usually smooths it again before winter. He has been doing it for over 20 years and only learned recently that he was supposed to get a permit.

Nat asked, what is the benefit of charging the homeowner in this case? And how can we not encumber people from plowing? Mike said people are doing us a favor by maintaining the road.

Nat asked, does he have to get a permit every time he plows? Brian said it depends how we write the permit. Most permits issued are for singular actions, but he thinks we could write an ongoing permit. (*Duncan Hastings arrived at 8:00.*)

Doug said the titles of people living on Class 4 roads are impacted by not having the ability to control access. He has graded Riding Stable Road for his neighbors and never thought he had to get a permit. The town has an interest to protect. He thinks we need a policy to let people do activities with minimal impact to us, but we want to know if they are digging up the road. He doesn't think we should charge them to plow. Or to maintain the road, Mike added.

Eric asked, if someone wants to put in a curb cut or a culvert, does that require a permit? Brian said yes, this is the same permit. The only difference is that we don't have discretion to deny a permit for maintenance activities like plowing.

Eric said whether we have a fee or not, a permit has value because then we know about the work. He is more concerned with construction on the highway without the town being aware of it than with snow plowing.

Doug said he made a call today to get information about to what extent we can regulate and restrict activities impacting title and marketability but he hasn't heard back yet. On the secondary market on titles people are very concerned with building on Class 4 roads.

Mike said there are Class 4 roads with numerous houses and the owners have to maintain those roads. There are some town roads we maintain that are basically one-house driveways. That is not fair. If there are multiple houses on a Class 4 road, it should be maintained by the town, for safety and tax value. If it is a Class 3 road their properties are worth more and we get more in taxes. That would probably offset the extra expense to us. We need to find out when some roads were changed from Class 3 to Class 4.

Nat said he agrees and yet that is a project that will take a lot of study – looking at the number of occupants and discussing the criteria to classify roads. Mike said that is true but it is something we really need to look at. Nat said in terms of prioritizing, tonight we are addressing winter maintenance on Class 4 roads so we are not expecting people to submit permits or we are waiving the fee. Mike said we can require a permit but waive the fee. Nat said over the next 12 months we can look at the bigger picture. Doug said he thinks snow plowing could be done without requiring a permit. We haven't had problems with snow plowing.

Eric said the value of having a permit and waiving the fee is that then we know the highway is opened up and plowed. If a highway is opened up then the town has liability, no matter who plowed it, because it is a public highway. At least that used to be the case. Doug said he thinks we can tell which roads are plowed by looking at tax records and seeing which roads have primary residences.

Duncan said there is a specific process for reclassifying highways. The policy has been that citizens can petition to reclassify a road from Class 4 to Class 3. In the past that was done by having the people living on the road bring it up to Class 3 standards. In the late 60's or early 70's there was mass reclassification statewide. There were public hearings and residents had

the opportunity to participate. One advantage of having a permit process, above and beyond use and liability, is Doug's point about the impact on people using the road. We used to use those permits as way to tell people they were not getting the same level of service on a Class 4 road and there was no guarantee a fire truck would be able to access their property. A permit process is a way to put people on notice that they don't have the same level of service as if they were on a Class 3 road and they do have some liability. That is the kind of thing title companies are interested in – whether you can get a fire truck or ambulance. You assume some of that responsibility when you build on a Class 4 road.

Mike said there are some roads that used to be fine and now it is the responsibility of homeowners to bring the road up to Class 3 standards. Eric said as far as he knows the selectboard has never downgraded a road that had a resident. Mike said on Sinclair Road you used to be able to drive from East Johnson to Battle Row and you can't do that now. But no one lives there, said Eric. Doug said if we maintain these roads we are conferring a substantial economic benefit to people who paid prices for their properties as if they were not on a Class 3 road.

Doug said he thinks our policy should be that we will not require a permit for plowing Class 4 roads but the result of that plowing is the homeowner's responsibility.

Kim said it gives incentive to take care of the road if permits are free as long as the road is in good standing. Mike agreed.

Charles said homeowners are already paying. They pay taxes on the roads. Eric said they pay less property tax because they are on a Class 4 road. Charles said you still pay property tax on the road, though. You are paying for the road.

Mike said reclassifying roads to Class 3 is good for homeowners and they will pay more taxes because the improved road makes their property worth more money. It will also result in more homes on lots, with more taxes coming in. Doug said he would have to see the cost to town and be shown that it would pay.

Nat moved to waive the fee for permit applications for landowners who want to do basic winter maintenance to roads through the end of this winter. He said he also thinks we need to revisit our policy. Brian said he and Brian have been working on updates to the draft policy the board saw previously but it was not quite ready to show the board tonight. Eric suggested withdrawing the motion with the understanding that Brian will show a policy update to the board next month, and putting the permit fee waiver in practice now. Brian said under the current policy the board has the right to set fees. Eric said he would take winter maintenance to mean sanding, plowing, or salting. **Doug seconded and the motion was passed.**

Brian said he thinks it will be worthwhile to move the skate park from a line item in the budget to its own department so we can get more detail on how the money is being spent. *(Lea left at 8:18.)* The board agreed that would be fine.

Brian said there is some interest in the skate park asking the voters for a reserve fund. Right now the skate park gets some money from grants. When they get restricted grant money it can't go back into the general fund like money raised by taxes. Money raised by taxes has to be returned to the voters or spent on roads. The skate park wants a reserve fund to keep track of restricted grant funds and to add any money they save.

Casey said Brian and Rosemary suggested this and it sounds fine to her. She contacted all the Skate Park Committee members and they agreed.

Eric said we often get beat up over the amount of reserve funds we have. How will the voters feel about this? Casey said she doesn't hear anyone saying we should put tax generated revenue into it. It would be for restricted grant funds or if the committee wants to allocate funds for a specific purpose the following year. She doesn't hear anyone saying we want the town to give us money to put in.

Kyle said it sounds similar to the Conservation Commission reserve fund. Lois Frey said it is different because the town voted on setting that up. This sounds more like the Historical Society reserve fund. Brian said it would actually be funded more like the Conservation Commission one.

Duncan said most reserve funds are for the difference between budgeted and actual expenditures. Brian said for the Conservation Commission one we have to allocate funds specifically for it. It would be similar with the skate park one but at this point we are putting no money in. It is an easier way for us to account for restricted grant money.

Doug asked, can't the conservation reserve also receive outside funds? Brian said yes.

Doug said other boards sometimes ask if they can have their unspent money. He thinks we should continue to pass on that.

Duncan said when the article is put together for voters to vote on, the purpose of the reserve fund will have to be defined. If the article specifies that the difference between revenue and expenses goes into the fund, the selectboard won't have discretion. Another thing to think about is that reserve funds can only be spent for purposes voters authorize them to be spent on so the board should be careful about the wording regarding the skate park reserve fund. Money out of your budget can be reserved as long as you show it as a reservation to next year. That takes care of the issue of grant funds only being able to be spent on grant activities.

Casey said the way she understands it, the reserve fund would be for money received from the outside or specifically set aside to make physical improvements.

Eric said we might want to be careful how restrictive we make it because another use might come up. Duncan said a capital reserve fund by definition is only for capital expenses. It can only be used for purposes the voters approve using the funds for.

A community member asked if anyone has thought of fund raising rather than asking taxpayers for funds. For instance there could be paid events at the skate park.

Eric said any money taken in for admission to a paid event becomes the money of the people. Our town treasurer has control of it. At the end of the year it is rolled into our general fund and whatever extra we have over has to be returned to the voters. The reserve fund would protect that money. The revenue could be put in the reserve fund and used in a future year instead of being given back.

Shayne Spence asked, unspent money has to be either returned to voters or spent on transportation needs, right? Brian said that is right. Shayne said he understands it is usually set aside for transportation. Brian said we usually use a good portion to reduce taxes for next year.

Doug said he thinks this is a big enough and important enough operation that it should have a separate budget and thought should be given to having a reserve fund.

Brian said we don't have to allocate any tax dollars to the reserve fund. Eric said that is how we can present it to the voters.

Brian said in the past the skate park has employed a person for basic maintenance and supervision. Casey said the person has also provided coaching and served as a role model. The Shred Club at the college does skateboarding, skiing, snowboarding, biking, etc. They set up a demo at the Jubilee. They are interested in helping out with maintenance at the skate park. The proposal is that rather than employing a single person some funds would be donated to the Shred Club and they would ensure that agreed-upon work was done. Casey said the club would have a list of duties and expectations. They would have a season-long contract. She is confident that the Skate Park Committee, the club's faculty adviser and the students can work out expectations and compensation. Brian said he thinks this is a great opportunity to increase connections between the town and college. He thinks it will provide a higher level of service for less money.

Doug said he thinks we need to work out liability, workers' comp, and unemployment. Casey said the Skate Park Committee will find out about that.

Jessica Bickford asked, if someone is going to be doing mentoring is the committee doing background checks? Casey said they always have. Jessica said figuring that out would be important. Will Angier asked what kind of background checks have been done. Casey said they have only done criminal checks. Will recommended doing child abuse checks as well.

Brian said there is no contract to review yet. Nat asked, the contract will be brought to the board? Brian said he thinks that is fair. The board agreed that this plan sounds good.

Casey said the Skate Park Committee is also interested in using some of the rec coordinator's time if that position is filled. They have a little money in a dedicated fund to buy a little of that person's time.

Eric said it would be helpful for the Rec Committee and the Skate Park Committee to list the tasks they would like the rec coordinator to perform so the board and Brian can figure out how many hours a week to post the position for. Nat said indicating the seasonality of the tasks would be helpful. Eric said that is something the board would look for soon from both committees.

Shayne Spence and Will Angier, who are interested in serving on the Development Review Board, introduced themselves. Shayne said he has been in Johnson since 2011. He came here to go to school. He helped a friend of his with the Harvest Festival and wanted to help out more with the community. He would like to work for affordable housing so we can bring in and keep more college kids after they graduate. Will said he has worked as a volunteer in Morrisville but he is a Johnson resident and he would like to be more involved with local government.

Eric asked if they have any experience with development review boards. They both said they have none.

Doug asked if they are familiar with form based code. Will said he is getting familiar.

Doug asked if they understand that they would be determining whether a request for development should be approved after an appeal. Would they be able to do that by following a rule-based procedure? They both said yes. Shane said Seth Jensen explained that the DRB has a little discretion but its decision making power is all from the form based code.

Nat said it's fantastic to get people we haven't seen involved before. He appreciates their volunteering. The work on form based code goes back quite a few years. We have done a lot of work to get community input and the community voted on the code twice. It has had a great deal of support from the community. He wants to know Shayne's and Will's thoughts on form based code. He noted that Will put something a little critical of form based code on Front Porch Forum a while back. If he is opposed to form based code, what is his interest in serving on the DRB?

Will said the DRB will basically be working as a judiciary body. Regardless of his opinion he will not have any say. He is in the process of learning about the code. He had a previous bias but he wouldn't let that interfere. His opinion wouldn't necessarily be able to influence the DRB's decisions. He wants to learn more about form based code and be involved in the process. It will allow him to see it from another perspective and make sure the biases of other people don't influence the DRB. He won't use his biases to influence decisions, nor can he. He feels having different perspectives is important.

Nat said he thinks that is a good answer. He agrees that having different perspectives is valuable. Will will have time to learn about the code in detail.

Will asked the selectboard about their concerns. If he is appointed to the DRB, how can he carry himself on that board with their trust? Mike said he doesn't have any problem with

Will. He has differences with the rest of the selectboard on some things. There is nothing wrong with diverse opinions. That is healthy. Will can sharpen other people's beliefs by being a stone for them to rub against.

Shayne said part of what he understands as the job of the DRB is to issue variances in some cases where there is an attempt to be in compliance but the property owner is not fully there. The DRB could allow them to be out of compliance and still get the work done. He has noticed a lot of old buildings that need to be renovated. He feels we should not let perfect be the enemy of good.

Doug said this is a regulation-based system. What he is interested in is whether Shayne and Will can apply the rules. He thinks if they were opposed to the code and couldn't apply the rules the board might say they didn't belong on the DRB. If they can apply the rules it is good to have diverse opinions. Eric agreed that it is good to have different views on the board. There are guidelines that are pretty well set.

Kyle asked Shayne and Will if they live in the village. Shayne said he lives in the village. Will said he believes he lives outside the village boundary. He lives on River Road West. *(Kim left at 8:51.)*

Nat moved to appoint Shayne Spence and Will Angier as alternates to the Development Review Board, Mike seconded and the motion was passed.

Brian S. said Brian Vandorn and Jacob Vandorn are interested in being on the Tree Board and the Tree Board recommends appointing them.

Brian Vandorn said he just moved into town earlier this year and wants to be involved in the community. He has great appreciation for trees and their role in communities. He saw Sue Lovering's presentation on the emerald ash borer. He is interested in that issue. He would like to contribute and be involved. Jacob is his son. Duncan said Jacob has been helping with the Historical Society. Lois said Jacob also participated with the Tree Board for Arbor Day and planting.

Nat moved to appoint Brian and Jacob Vandorn to the Tree Board, Mike seconded and the motion was passed.

Eric said he got a request for a proclamation of support for School Choice Week. He is not a great fan of proclamations other than those to recognize community members. National proclamations make certain people feel good but have no lasting impact. But this proclamation has language that it would be hard for anyone to disagree with, about parents being able to choose where they educate kids and having high quality education. We represent all the community, not just the public school. We have constituents who use different education for their children. This would address all those type of education – families with kids at Laraway, homeschooled kids or kids at Bishop Marshall. Last month we adopted a resolution of inclusion. This proclamation is inclusive of all parents and how they educate their kids.

Mike said the information we received indicated the United States Senate unanimously supported this.

Nat said this proposed proclamation is coming from some organization in California, not from people in the community. It is not clear where their funding is coming from or what their agenda is. This is not a grass roots effort from the town so he is not interested.

Doug said Johnson is not home to “a multitude of quality public and nonpublic schools” as indicated in the wording of the proposed proclamation. School choice can refer to a variety of different things, such as magnet schools. It is associated with political agendas elsewhere. He is not in favor of the proclamation.

Duncan asked if the proclamation makes any reference to use of public funds to support these other schools. Eric said no, it is just supporting parents’ choice in having access to the highest quality education possible for their kids.

Doug said he thinks this is part of a campaign for different types of choices favoring certain educational institutions.

Mike asked what is bad about any of the language.

Kyle said she doesn’t feel like she knows enough about the organization that sent the proclamation. She is not prepared to pass something like this.

Eric said the board will move on then with no action.

Brian said there has been some discussion about hosting Respect in the Workplace training. We might be able to do it here and attract other towns to defray some cost. It would not be cheap. He would like to hear whether the board wants to pursue this. Trainings are available in Vermont. The University of Vermont has some professional trainings. VLCT has hosted them before.

Eric asked if the thought is that this training would be opened up to other communities and offered to all employees, board members and committee members. Brian said he would recommend that we require those who are paid by the town to attend and open it up to anyone else who wants to in order to get enough attendance to make it worthwhile. Eric said that would make it difficult because paid employees are not here at the same time that most board and committee members could attend. Brian said it would require a fair amount of planning.

Nat said this is right in the wheelhouse of the Lamoille Restorative Center. He would be interested to know if maybe we could find less expensive resources here in the county. He suggests we widen the scope and take a look at how conflict is handled in the whole community. There is a real cost to conflict. He encourages the board to look at how we can

set the tone for conflict resolution throughout the community as well as with the board and employees.

Eric asked if this is something VLCT can provide. Brian said they have done similar training in the past, mostly focused on harassment and discrimination. They do have contacts in this area and if we asked them for a presentation like this they could at least tell us if their contacts could do it.

Mike asked where the interest came from. Brian said from several different members of the community and board members.

Lois asked if money for this is in the board budget. Eric said not in the board budget, but there is money budgeted for training in different departments. Brian said there is also money budgeted for board consultants, which is where he would think of allocating it.

Eric asked if anyone knows where to start to find someone to offer the training. Nat suggested the Restorative Center. He said Greg Stefanski also has relevant background. Brian said he doesn't think we will have trouble finding someone to do the training. Nat said he doesn't think it will cost that much if we use local resources. Brian said he did a little searching online and most of the candidates he found were much larger capacity but he wants to talk to VLCT and UVM and, as suggested, the Restorative Center.

Duncan said there could potentially be two different trainings. From his own personal experience as a former employee he would say situations people get into when working are different from situations non-employees get into. Employees have to treat members of the public with respect and also fellow employees. In that past there have been situations where training like that would have been useful. For employees what is needed is slightly different from conflict resolution. In the past some employees didn't treat members of the public or board members with proper respect.

Lois said she thinks this kind of training needs to be ongoing and built into a plan for all employees when they come in. The town should identify problems and if conflict resolution is one the town should be ready with a standalone workshop. It is not practical for all to go to one session. Learning takes place over time.

Doug said he could see how we could mandate employees to come and he could see how it would be good to have this in place, but other than employees how would we be certain we have an audience? Brian said there would be no certainty other than employees. Board members receive pay but they are elected. Doug said the question is how we get the audience we want.

Nat said he thinks Duncan is right. This could be something we focus on for employees but whatever model we use can be used for the broader community as interested.

Brian said it could open up relationships with facilitators we don't use now.

Eric asked, do we have any annual training for employees? Brian said no. Brian K. does a significant amount of professional development but there is nothing that is town-wide. Brian's crew has some training and talks about best practices at least once a month. They attend Road Scholar training. Eric said that is about the mechanics of their job. Brian said not all of it, but most of it. There is nothing like this.

Doug asked if there is someone who could give the board a short explanation of how this would work and how it could be beneficial. He suggested Greg Stefanski. Nat agreed Greg Stefanski could probably do that. Eric suggested reaching out to him. Brian said he will do that and he will check with the Restorative Center. He will see about getting a presentation for the January meeting.

Mike asked if it would make sense to ask members of the public who are here their opinions about the proclamation. Several members of the public took copies of it. Mike said if there is interest maybe it can be brought up again at the next meeting.

Brian said we have a draft of the cemetery purchase agreement he made up for Don Sargent. We are going to have to pursue what is called a "quiet title" to take over the Evergreen Ledge Cemetery from the Evergreen Ledge Association. There are no members of the association now so it is not likely to be complicated but we don't currently have the right to award the deed so we can't transfer ownership. The purpose of this agreement is to formalize the arrangement so when and if we have ownership Don would have that spot reserved.

Eric asked what would constitute ownership of the cemetery. Would a verbal release from the last known commissioner be a transfer of ownership? Didn't Lillian verbally come in and turn over the records and say she wanted the town to take over? Brian said he would need to check. Duncan said she did but he is not sure if she was asking as a cemetery commissioner. Eric said we assumed after that we were managing it and we started maintaining it. Duncan said we were maintaining it before that. As long as he was involved it was part of the town budget.

Brian said the recommendation to get a quiet title is from our attorney. Doug asked if they indicated why they thought quiet title would work. Brian said his layman's understanding is that there is a section of the cemetery that definitely belongs to the cemetery association. The plot Don wants is in the part whose ownership we are not sure about.

Duncan said the cemetery commission was established by an act of the legislature. (*Shayne left at 9:23.*) How about a reversal of that act? Brian said the attorneys indicated that quiet title would be the avenue of least resistance. Probably they can make a presentation at the next meeting. Mike said we don't want them to come to a meeting; it would be too expensive. He thinks going to the legislature might be cheaper. Duncan said presumably they have already thought about that. (*Will Angier left at 9:24.*) Brian said if he remembers correctly, the act of the legislature established the cemetery association's authority to act but didn't necessarily transfer ownership. Some towns retained ownership of their cemeteries even though authority to manage them was given to an association. It is possible that the

cemetery association was managing our property without owning it, but the newer section was transferred directly to the cemetery association from private ownership.

Duncan said the town did own it prior to establishment of the cemetery association. Doug said what we need is not really a quiet title. It would address the agreement for the association to operate. He doesn't know what basis there would be for doing a quiet title action on the section the association owns. But these are highly qualified attorneys so he doesn't dare say much.

Mike asked, who will challenge the town? This is costing the town money when it's something we probably own anyway. Why not move on when no one will challenge us anyway? Who could it possibly belong to but the town?

Duncan said the Brown Paper Company sold the land to the cemetery association. Would they have a right to go back and say it was theirs? Could right of adverse possession come into play? Doug said no, because we never operated it claiming it we owned it. Duncan said we always did. Doug said he thought we said the cemetery association operated it. Duncan said we maintained it. Brian said we have been treating it as our own for a while. Doug said it takes 15 years. Eric asked, we never sold the plots? Duncan said Lillian gave people a bill of sale but not a deed.

There was discussion about whether Don Sargent wanted to buy 2 or 5 plots. No one knew for certain.

Mike moved to execute the contract agreement with Don Sargent regarding purchase of plots in Evergreen Ledge Cemetery once the proper number of lots has been determined and to authorize the chair to sign the agreement, Nat seconded and the motion was passed with Doug opposed.

Duncan said when he went with Don to peel back sod to examine the lots Don wanted to buy, Don rented a small push sod cutter. If this is going to be the protocol for future burials Duncan can assist, but having that sod cutter was very useful. They are not available for rental locally. Don got it from Essex Rentals. Would the board consider purchasing one and making it available for free or charging a minimal rental fee? They cost about \$350. The board agreed to consider buying one.

Duncan said things are really growing up on the fence lines at Evergreen Ledge. If the town is willing to rent a self-propelled brush cutter he would volunteer to run it and clean the fence lines. Then they probably could be mowed. Brian was concerned about insurance but since he has been appointed as cemetery sextant that may solve that problem. The board agreed to Duncan's proposal. Duncan said he thinks it wouldn't take more than a day. Brian said he thinks with the appointment of Duncan as sextant we are in a better position with regard to insurance.

Duncan said he would like a copy of the survey. It would make his job easier. The board agreed.

Brian said he thinks the board signed the Lamoille County Sheriff's Department contract but neither the town nor the sheriff can locate a signed copy. The board did vote to sign it. Board members signed another copy of the contract.

Brian said he is getting committee reports. We have discussed wanting to focus on growth from our approved budget from last year – the budget after the \$30K was cut, rather than the proposed budget. That seems to be where most groups are coming in. They are proposing fairly modest growth.

Brian spoke to Eric about doing the hiring of the rec coordinator/community organizer as a ballot measure. It might be worthwhile to ask voters if they support this new position.

Eric said we are building a budget from where we had to settle after the \$30K cut. We probably should go forward with those cuts still in place and have an article asking if the voters want to reincorporate the \$30K. We can give them a list of where the cuts were made and if they feel there is value in those items they can choose to re-incorporate them. The rec coordinator would have a significant cost. It wouldn't be in our budget; it would be up to the voters to decide if they want to fund it. Do they value the work of the Rec Committee and the Skate Park Committee enough? It would give them something meaningful to vote on. There have been complaints that there is not enough meaningful to vote on.

Kyle asked, don't we absolutely need a rec coordinator? Eric said we may feel we do but the voters may not agree. Hearing from the Rec Committee will hold a lot of weight. Brian said we need the position to maintain the Rec Committee at the current rate or grow it. Otherwise we will have to scale back activities.

Nat said if we don't get paid staff it feels likely that we won't have a Rec Committee next year no matter how much we scale back. Just to run soccer, baseball and basketball is probably more than the committee will find volunteers for, not even going into gymnastics and archery. On the other hand, he sees the importance of getting voter input on the position. He needs to think about it.

Eric said we don't have to make the decision tonight. It has been his experience that when we are honest with the voters they have a lot of questions but they have been very generous and fair.

Mike said there will be a lot of turnout. A lot of people in town have young children and the Recreation Committee is important to them. He doesn't think it is something we can afford to lose. Eric said in the past the Rec Committee allocation was a standalone article and he doesn't think it was ever voted down. Nat said he thinks the community generally supports the Rec Committee strongly.

Doug said he thinks having it as a separate article will get a positive response. We need to separate it out. Otherwise we are looking at a likely reduction in the budget based on this increase. The best way to get this in the budget is to have it stand on own merits. There is a

large constituency. It is important to kids. Nat said we will be adding in things like the Jubilee and Tuesday Night Live for the new position.

Duncan said when Jim Rose was hired he believes we had a separate article asking voters to establish a rec coordinator position. Eric said he thinks that is right but now we are looking for more hours a week. Duncan said he thinks that was long enough ago that it would be prudent to do the same thing again.

Duncan said he thinks it will confuse the issue to have an article about adding back the \$30K. No one is better able to evaluate the needs of the town than the selectboard. The board's obligation to the voters is to present the best budget it can. The board was always very cognizant of impact on voters. He would recommend building the best budget, not basing it on what the voters did last year.

Eric said if we add the \$30K back in they will want to cut it again. Duncan said there was some pain involved in finding the \$30K cuts. Eric asked if Duncan is saying we should put back in all the cuts. Duncan said he thinks the board should build what board members think is the best budget and if that means putting some of those things back in they should be included.

Mike said he agrees with Duncan. It shouldn't even be mentioned.

Doug said he thinks the concept should be that we start with last year and decide what we need to add or subtract. If we ask if voters want to put \$30K back in he thinks that is a dead horse. But there should be a separate vote on the rec position. Kyle said that makes sense to her.

Nat said Wolcott has separate articles for a lot of different things. It gives the voters a lot of choice. Eric said we used to do that too. Mike said there might not be anything wrong with that. Nat said he thinks giving the voters a choice is not bad. Mike said we don't have school board business anymore. We should have a town meeting with a lot of choices for the town to make decisions on. It would make people feel like they were participating in town government.

Charles asked if the board has considered moving town meeting to Saturday. A lot of working people are not showing up because they can't get away from their jobs. Eric said we have talked about it. A lot of towns around the state moved to evening or Saturday town meetings and found participation declined even more. Charles asked how long ago that was. Eric said it has been an ongoing thing. Duncan said some that changed went back. Eric said participation in everything is down nowadays.

Brian said Healthy Lamoille Valley is interested in asking for an appropriation this year. In the past they have been state and grant funded. Jessica Bickford said Healthy Lamoille Valley is a substance abuse coalition working to prevent youth substance use and misuse. Currently their funding is almost 100% from Department of Health grants. They are looking to go for a Drug Free Communities grant but they need to prove community support and

provide a match. They are asking the towns they serve to give some funds. They are looking for \$750 from Johnson.

Eric said historically the practice of the selectboard has been for first time allocations to require a petition to be raised. For following years the allocation would just be rolled into the town budget. If the group wants a significant increase in the future they can come before the board and the board might put the increase in the budget or might require another petition.

The board agreed to require a petition from Healthy Lamoille Valley.

Brian said all the groups he has heard from so far have decided to go with the allocation amount they were awarded last year after the cut.

Nat said he has talked to people at Healthy Lamoille Valley about our responsibilities with liquor control. They are a helpful resource and he appreciates them.

Brian said a leaky sink in the apartment upstairs in the Historical Society building has been repaired. It appears there was an old bad seal on the trap under the sink. In an unrelated issue, water from upstairs ruined flooring downstairs in the Historical Society building. It appears the tub was allowed to overflow.

Duncan suggested the town might want to consider filing an insurance claim. The Historical Society board would love to see the floor replaced with something waterproof, maybe a tile floor. They conceptually discussed some sort of incremental cost sharing. Duncan thinks this is at least the second time that tub has been allowed to overflow. It seems logical to replace the floor with something that won't be damaged again. The Historical Society would like the board to at least consider that.

Nat asked, should we have the tub taken out and replaced with a shower? Duncan said it's a shower/tub combo. The plumber checked the overflow drain and said it was fine. Brian said from what he could see it seemed fine but he didn't open anything up. Duncan said another possibility is that the tenants could have left the shower curtain outside of the tub. The tenant agreement says the tenants are obligated to notify us if they have a leaking pipe or other issues and to keep the apartment in clean condition. That is not happening. Maybe some formal letter should be given to put them on notice that they need to follow the lease. If the town hasn't notified them then when the lease renews it will be harder to get rid of them if they haven't been following the conditions of the lease.

Eric asked if Brian has been in the apartment. Brian said yes. He thinks we should issue a warning to them that they need to maintain it in better condition. He is interested in doing a few repairs and upgrades to the apartment with the idea of being able to raise the rent a little. The bathroom is not in exceptionally poor condition but it is not something we would be proud of, either in terms of maintenance by the tenants or our maintenance. He thinks we should fix it up a bit. The linoleum tile floor could be replaced. The tub is overflowing, indicating there is something wrong with it unless they are intentionally blocking it or

leaving the shower curtain outside the tub. It seems unlikely someone would do something like that. It seems likely that there is something wrong with the overflow.

Mike said he thinks we should refurbish the bathroom and put just a shower in.

Duncan said if the town is going to do major renovations upstairs, the Historical Society would like to talk to the board about occupying the second floor and not having tenants. They are running out of space.

Doug asked if we have a damage deposit. Brian said yes. Doug said he thinks we should determine whether the overflow is working to determine whether we should keep money from the damage deposit.

Brian said we can find out more about what is going on with the overflow and the condition of the bathtub. (*Jessica Bickford left at 10:12.*) He thinks we should issue a warning about failing to keep the apartment in good condition. It is not the worst place he has ever seen but it could be kept in better condition. That also gives us options when it is time to renew the lease. We might pursue a repair project or have a discussion with the Historical Society about no longer having tenants.

Eric said we need to take care of the ceiling and floor immediately. Duncan said he is sure moisture is trapped under the existing floor. We don't want mold, mildew or rot. Water seeped down into the cracks and the floor is now buckled. The entire kitchen section would need to be replaced.

Mike asked if any artifacts were damaged. Lois said no. A few things have some rust but can be cleaned up. Duncan said they have a fan going in the ceiling. Eric asked if they checked in the basement. Brian said the plumber saw nothing that needed repairs there.

Mike asked if the people in the apartment reported the leak. Brian said no, but people from the Historical Society went into the apartment to look for the leak and they didn't see it either. We can't say the tenants knew there was a leak.

Eric said he thinks we should have a contractor look at the floor and give us an estimate. Mike asked if insurance will cover the cost. Brian said we can apply. Duncan said he thinks the cost will probably be over the \$1000 deductible.

Duncan said the Historical Society would love to work with the board on flooring. Maybe we could get an estimate on replacing the floor as is and also on replacing with something waterproof.

Brian said he will bring out a contractor, issue a warning about general upkeep, investigate the drain and maybe take money out of the damage deposit.

Brian said he went out to the cold storage building with a contractor this morning. There is an animal of some kind living in the roof. It has caused damage in the upper storage area and the

lower storage area. He doesn't have a cost estimate. There are other issues with that building. There is a spot where there used to be some kind of ventilation or exhaust pipe in the large bay and now there is a patch over the roof. There is a good amount of water damage around the interior. We will want to do a repair. There are some other areas with water damage that he thinks is caused by condensation. Water is probably condensing on the underside of the metal roof. The water doesn't seem to be coming from outside. He doesn't think we will be doing anything about it in the near future. It will be a big project to take the roof and insulation out and redo it.

Eric pointed out that the building is jointly owned. He asked if the village is aware of the issues. Brian said they are now. We will monitor the issues. We are not seeing standing water now. We will monitor for mold or for conditions getting worse but we may not have an appetite to do anything until it gets worse. We would probably need to tear the drywall and insulation out and lower the ceiling so there is a greater space between that and the roof, increase insulation, and add ventilation. But that is a big project and it doesn't get more expensive if we wait a while.

We found where the animal is getting in. The scratch marks seemed a little small for a raccoon and big for a squirrel. There is damage to the ceiling and one outside wall and to the inside plywood walls and drywall. We will take down the damaged plywood and drywall to get a better look inside. We will block off the entrance. We will probably need a different person to get rid of the animal.

Mike asked why the cold storage building is insulated. Brian said the building is heated enough to keep the pipes from freezing.

Doug said the cold storage building has possible value for economic development in the future. Maybe we should not improve it yet when we don't know yet what it might transition into. Brian agreed that it makes sense to wait without knowing what the future use of the building might be.

Brian said he has been in touch with a home inspector about the old mill building. (*Duncan left at 10:25.*) He hopes the home inspector will serve as a liaison for others we might want to involve, like an engineer. (*Brian Vandorn left at 10:25.*) After the holidays the inspector will do a basic inspection. He and Brian will build up a work list and see if he thinks we also need an engineer. Brian thinks we will need an engineer but he thinks the inspector could help us find a suitable one. (*Lois left at 10:26.*)

The sheriff's report was emailed out.

The revolving loan fund work is going well. We have made our first disbursement and will start getting payback next month. Brian has been talking to a couple of other candidates who may apply to us or to the village. It might make sense for them to go to the village. Our reporting requirements might be too high.

Brian said there are no real updates on the light industrial park. He is still hoping for the municipal planning grant. Seth Jensen is helping connect him with people who might be able to help with grant writing for the EDA grant.

We have not yet heard back from the village's attorney about the sewer transfer. They informally asked us about our use of the state's right of way. It predates the 1111 permit but Brian was able to find a permit referencing the construction as a permanent emplacement. We didn't find anything more formal when we did the title search. We had a permit to do the work when the sewer line was put in and the state knew it was permanent. He thinks that is the best we will do. The village's attorney has all our titles and research at this point.

Eric said Ryan Stygles had a favorable review and now the board needs to set his compensation. Brian said \$18.25 would be the new rate, with the mechanic endorsement. **Mike moved to set compensation for Ryan Stygles at \$18.25 per hour, retroactive to 6 months after his start date, Nat seconded and the motion passed.**

Eric asked about the cat bite mentioned in Brian's report. Brian said we got a report of a cat bite. Eric said we have no ordinance about cat bites. Brian agreed they are not covered by our ordinances. State rules are for dogs and wolf hybrids. We could regulate cats but we have no obligation to and we have not in the past.

Kyle asked about the Legion Field ice rink. Brian said we tried to get out to work on it last week when we had a series of below freezing days but missed the best opportunity. The sides were sprayed down. The fire department helped out but they couldn't get a big truck in. They wanted us to do some prep work to make that easier. Then it got warmer and Brian didn't want heavy equipment on the field. When the weather cooperates we will do prep work so the fire department truck can get in.

9. *Fiber in the Community*

Charles Gallanter said he and Rob Rodriguez went to a meeting in Lyndon. The new federal standard is 25 Mbps down and 3 Mbps up. Comcast, the cable system, can get up to 80 up and 80 down. In some locations Consolidated Communications offers 25 down and 3 up but that is a maybe. That is what the FCC considers we all should be wired for. There are a variety of options to get broadband – wireless, satellite, local area networks, a cell phone type service that would require a lot of substations in our area because of the terrain. Cable and fiber are the best solutions. Rob Rodriguez said fiber is faster and more likely to last into the future. And if we are going to run cable we might as well run fiber. Charles said fiber is cheaper per mile. Rob said the State of Vermont has no plan to spend any money on fiber. There have been a couple of bills to run fiber but Governor Scott has no interest in signing them. We should not wait for the state to bring high speed internet to the town. All the money comes from the federal government. They gave VTel a lot of money to expand high speed internet. Now that they got all that money it makes other projects in the state further down the list. Grants are prioritized toward fiber districts. If Johnson is not part of a district it will be further down on the list. The best bet is to join a fiber district. Lea talked to Hyde Park and they are interested. Rob read that Eden was contacted and then heard that it was informal. It would be a Lamoille County network. The beauty of Johnson is that Vermont Electric Coop has a fiber trunk here because all their substations are served by fiber. There are many open

wires on their fiber. The only thing stopping someone from renting that fiber is the VEC board. The state doesn't regulate that. It is possible, if the board would approve it, that a provider could tie onto that trunk and drop to houses from there. Someone from Hyde Park said they were trying to get community members in each town to form a larger group and get information out so towns could vote on forming a district. Once a district is formed they subcontract everything out. The district is just the entity that can get money. When ECFiber did their first outlay they sold enough drops to residences to run their first line and then they were paying for themselves and could sell bonds to finance their next runs.

Charles said he thinks our first step is to find out what we have. We don't need to duplicate what is already available. Then we need to develop a plan. Is using little broadcast stations most feasible or do we go to fiber? It costs about \$30K a mile and he thinks we have about 60 miles of road. Major trunk lines come down 100C and across 15 and from Stowe across French Hill to the Coop. A lot of infrastructure is already there. We need to determine the economics. He has not talked to anyone who is opposed to fiber.

Doug suggested we solicit people from the community who are interested and form an exploratory committee for a multi-town unit to bring fiber to Johnson. He feels this is the most important thing we can do for economic development. People will move to communities where they are connected to their job. When we can say this whole place is wired it will be tremendous.

Charles said he thinks this will bring high income residents, which is what we are interested in. It will be economically beneficial to the town.

Doug said he called Ron Rodjenski. There is interest in other communities. Mark Woodward has been interested in this for a long time. He thinks we should have a committee to see what would work here, communicate with other towns with the idea of drawing on federal money, and lobby VEC so their directors say yes.

Charles said we need some changes at the legislature. The Public Utilities Commission does not currently allow electric companies to get into the internet business. That requires legislative change. Rob said electric companies can rent the fiber but not provide any service. It is difficult to find someone to rent the fiber because it doesn't make the best financial sense. Usually the service provider owns the fiber. He doesn't think Comcast or Consolidated Communications would want to rent the fiber but he thinks a smaller company would be interested. But the Coop can't rent it unless the Coop board okays it.

Nat said he thinks we have broad agreement. He thinks the best way to move this along is through what Doug suggested.

Eric asked, if we are going to coordinate with other towns and evaluate needs, who is the right person or entity to drive this? LCPC? Rob said LCPC is in the loop. According to Lea they are willing and able to help get grants but they are not necessarily going to facilitate all the towns getting together. Eric said he is afraid what we would get from the community would be laymen who won't know what to do. Doug said he has faith in Charles' energy.

Brian said he thinks we need planning to find next steps. He tried to set up a meeting with ECFiber this summer. Rob said they are not interested in expanding this far north. Charles said they are a holding company and they subcontract.

Nat suggested Charles, Rob and Brian could get together with Hyde Park. Christine Hallquist has to be a resource. Can they work together and bring the board more?

Charles asked if the board wants to assign this to the Planning Commission. Eric said he thinks this is out of the Planning Commission's purview. It would involve working with other communities and dealing with technical jargon.

Doug moved to solicit people for an exploratory committee and to name Charles Gallanter and Rob Rodriguez to be on the committee to evaluate how fiber can be brought to this community, seconded by Mike.

Brian suggested saying "broadband" instead of "fiber." Doug said Ron Rodjenski wanted to go specifically with fiber. Eric said changing to "broadband" would not exclude fiber.

Doug and Mike agreed to the friendly amendment of substituting "broadband" for "fiber." The motion was passed.

10. Open Issues

Nat said he will skip the discussion of open issues he had asked to add to the agenda.

11. Executive Session to Discuss Evaluation and Compensation for Town Employees

Mike moved to enter executive session to discuss evaluation and compensation for town employees as allowed by 1 V.S.A. § 313(a)(3), Kyle seconded, the motion was passed and the board entered executive session at 11:01. The board came out of executive session at 11:45.

12. Adjourn

The meeting was adjourned at 11:45.

Minutes submitted by Donna Griffiths