

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, FEBRUARY 25, 2019

**Present:**

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood  
Others: Brian Story, Linda Molde, Valerie Valcour, Greg Tatro, Charles Gallanter, Roger Marcoux, Dan Noyes, Kylie Hill, David Butler, Rich Westman, Rob Rodriguez, Paul Warden, Phil Wilson

**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**

Eric said the legislators would not be arriving until about 7:30. He said Walter Pomroy has found a couple of issues with our budget. One is with the amount we bring in from reserves for major equipment purchase. We brought enough to cover the principal but not enough for the \$8600 in interest. If that was increased to cover the interest it would reduce the amount to be raised by taxes. We probably wouldn't want to bring that up at town meeting but Walter could make a motion to change it. The difference in taxes would be less than half a cent. Eric also noticed that we omitted a budget summary page. (*Greg Tatro arrived at 7:03.*) A few years ago voters requested a summary of budget sub-categories at the beginning. We have done it for a few years but omitted it this year. Feedback indicated people liked it. Brian said we can print out copies for the meeting. He did prepare a summary page.

Kyle said she noticed that the inclusivity statement adopted by the town was not put or mentioned anywhere. She thought it was going to be somewhere in our town report. She thought we were going to start including it in things we published. Brian said we did say we would try to work it in where appropriate. We could have if we had thought of it. (*Charles Gallanter arrived at 7:06.*) Eric said we talked about putting it on letterhead, etc. It might have been expected to be in the town report but we didn't think of it. Kyle said she was a little disappointed that it was not mentioned.

Kyle pointed out that "selectmen" rather than "selectboard members" still appears in some places in the town report. Eric said some budget line items that are no longer funded didn't get taken out as we had discussed. Brian said he thinks we should revisit the old layouts we have and make sure the language is consistent.

Mike said he wonders where Cambridge gets their town report printed and what the difference in cost is between their printer and ours. He feels theirs is much more professional looking.

Doug said Charles Gallanter might be interested in a forum on strengthening communities for the future on March 27 at Burke Mountain. There will be a half hour presentation on access to high speed internet.

Doug said Charles had previously indicated Comcast has a certain number of customers here. He asked if Charles thinks that number is accurate. Is there a way to find out what areas they serve and check with the listers on the number of residences in the areas where they have lines?

Charles said there is a map of all the 911 addresses. He is reasonably comfortable with the accuracy of the numbers. We have 1289 buildings and 917 have cable and 1130 have cable or DSL, which means 213 have DSL. That is a 71.1% penetration rate. If the penetration rate were slightly different we would still have the same problem. With our penetration we have a problem getting coverage for the remaining areas. If we had many miles with no access it wouldn't be as difficult as it is when we have 71% of people already covered. He feels it would be prohibitive to consider getting broadband access to people who don't have electricity. We have 60 miles of road and the cost is \$24K a mile. There are almost 400 places we need to get to. He would like to get a map of the residences and find out where Comcast is. He believes Comcast will provide it but they may not. He also wants to talk to Vermont Electric Coop. They did a survey on people's feelings about them offering broadband. *(Roger Marcoux arrived at 7:21.)*

Doug asked if the selectboard will have a meeting on Class 4 road policy. Brian said he would like to take that up pretty soon. The next policy he would like to have on the agenda is the policy on highway access and new driveway permits. We have an individual applying for a permit now and Brian K. would like to give him permission to begin construction. He won't get the permit until the work is completed to the standards Brian K. specified. *(Dan Noyes arrived at 7:24.)*

Doug said we might want to get the Planning Commission involved with Class 4 roads. They might want to consider where we want improvements in infrastructure. Do we want to make it easier to build on those roads? Brian said he thinks the Class 4 road policy could be a good topic for the Planning Commission. *(Kylie Hill arrived at 7:25.)*

### **3. *Discuss Health Care Needs in Johnson***

Brian said the village and Meredith have been taking the lead on discussions about a healthcare center in Johnson. The discussion was originally tied into Railroad Street redevelopment. As we get closer to seeing something come together it is important for the selectboard to weigh in and participate.

Valerie Valcour from the Vermont Department of Health said Scot McCray, the new CHSLV CEO would be here if he could. This all started with the re-envisioning process for Railroad Street. One of the 3 priorities was a health center in town. When Dr. Rogers closed his practice, she started convening meetings with Meredith and Melissa Volansky, CHSLV's executive medical director, to talk about opportunities. Scot McCray is very interested and sees the value. NVU-Johnson was brought into the conversation. They do not have a health clinic on campus. CHSLV used to have a nurse practitioner there but there was not enough business to keep it viable. Lamoille North superintendent Cat Gallagher was brought in and there have been energetic conversations with her about a school-based clinic. At the last meeting, Laraway came to the table. The only partner that hasn't yet been involved but should be is Lamoille County Mental Health.

There was a federal grant opportunity but Scot McCray used a consultant to take a look at the numbers for Johnson and found that the score wasn't high enough to be competitive so the consultant advised against going for the grant. They are looking for other opportunities. (*David Butler arrived at 7:34.*) The elementary school is offering a space. Scot has said this needs to be a community clinic, not just a school clinic. It needs to be open to everyone who lives in the area. This would be a phased in process. It is not going to be a new building project initially but in the future we can look at mixed use.

Brian said we want people to understand that this concept is in the early stages. We are taking security concerns seriously and will look at everything we need to before deciding on a school-based clinic. We are looking at other options as well.

Roger Marcoux said he is looking at the Catholic church in Hyde Park but it looks as if that may not happen. If it doesn't, Rich Westman suggested looking at putting money into Johnson. He is interested in having a location in the village that people could walk to. Perhaps there could be a very small office for patrol officers and the rest of the space could be used for community health care. Eventually he could see the need for a more permanent, bigger space, perhaps not located in a flood zone. The sheriff's department would like to be involved.

Brian said the phases are not really set in stone. We need more feedback on needs. We have a need for pediatrics and family health. There are a lot of students who don't go for wellness checks and the number drops off dramatically as they get older. Eden has experienced similar numbers. We could draw people from Eden and other communities that can't as easily reach Morrisville or Cambridge. A need Laraway mentioned is occupational health. The closest occupational health clinic is in Waterbury. Our insurance company would like us to use occupational health whenever we have a workers' comp claim. That is a big burden on employees. (*Rich Westman arrived at 7:42.*) Our policy has been to send employees to their primary care doctor. Laraway had described how much of their time and resources are taken up by people driving back and forth to occupational health.

Kyle said she was on the area wide committee when they were doing the Railroad Street Brownfields plan with the consultants. One of the top 3 things they identified was a health clinic. This is undoubtedly something the community needs and can support. It was her understanding that the conditions of the grant we were considering applying for was what drove the idea of having a school-based clinic. Brian said that was what got us thinking in that direction. Valerie said a requirement of the grant was that the clinic had to start up in 120 days.

Charles Gallanter asked if CHSLV could staff this clinic. Valerie said that is why it needs to be community-based, so CHSLV can bill for services. If it serves the whole family, rather than just doing well child checks, CHSLV can bill for those services. There have been conversations about how to share resources like the elementary school nurse and about figuring out busing from Laraway or NVU-Johnson to the clinic. There is a doctor who is

interested in working at the clinic. Dan Noyes said Scot McCray said he had the ability to staff it if there was a space. He would draw off staff he has in Morrisville.

Eric said about 15 years ago we looked into doing something like this. A survey was done of needs in the towns in this area. It is very dated but he is sure LCPC still has it. It might be helpful.

Roger asked if there is any possibility of providing Medication-Assisted Treatment. Valerie said by bringing in Mental Health the clinic could provide everything that comes with CHSLV.

Mike asked if we could use our revolving loan fund for this. Brian said it would be a qualifying project.

Doug said he feels there are many older people in the community who would gravitate toward this. Valerie said that is why it needs to be a community clinic for the whole population. She has heard of people who had to drive all the way to Stowe. There is the Cambridge health center but they have limits.

Doug said he likes the idea of the clinic providing other services such as counseling. Valerie said NVU-Johnson's biggest need is mental health counseling.

Dan asked what the selectboard thinks about offering Medication-Assisted Treatment at this location in Johnson. Eric said there is probably a need. Valerie said Medication-Assisted Treatment is for people who suffer from substance misuse disorders. It includes counseling, case management, Suboxone, etc.

Charles asked about the Recovery Center. Valerie said they are a huge partner in supporting the clientele.

David Butler said this is not a small facility we are looking at. Valerie said Scot said we just need 2 exam rooms.

Mike asked, what about St. John's Church? Eric said it is under a purchase and sales agreement for a brewery.

Doug said he feels we need Medication-Assisted Treatment.

Roger said it would be helpful to have something in town people can walk to. Transportation is a stumbling block. Charles asked, couldn't we rent Dr. Rogers' office? Brian said it has been sold. Kyle said the dream spot would be at the corner of Railroad Street and Main Street. The area wide plan envisioned a mixed use facility there for a health clinic, community center and specialists. Brian said that spot or the Manchester property or the old mill house have all been discussed. Those properties would all have to go through environmental review but that doesn't rule them out. LCPC is keeping the Manchesters informed about prospects like this but he doesn't know that we are going to wait for that

property to be ready, especially if we are going to do this in phases. We can do something now and then build out. Kyle mentioned an apartment building that is for sale. Roger said he is concerned about having the clinic in a flood zone. Greg Tatro asked if the Catholic church is too far out of town. He said it is not under contract. Eric said he was told it had a purchase and sales agreement. Greg said he will probably have a contract on it himself tomorrow to build something similar to what is being discussed. He will know more tomorrow night. Roger said he would donate money toward purchasing a building. (*Rob Rodriguez arrived at 7:57.*) Roger said he thinks the church is within reason for walking distance. Greg said it is out of the flood plain.

Roger asked what is needed besides a building. Valerie said the long range vision Scot McCray has been bringing up includes housing linked with a clinic. Brian said there might be new ownership of St. John's Knoll that might be an interested partner. Charles asked what is meant by housing. Valerie said Johnson needs housing that is attractive and suitable for all income levels.

Rich Westman said one advantage of the Catholic church is that it is close to one of the trailer parks. If a family only has one vehicle and it gets driven to work then other people in the household will end up in the emergency room at night when the car comes home if they don't have a place they can go without a car.

Doug said if we are going to improve our economics we need to improve our housing. He feels that needs to be a central focus. How can we get people who work here to live here?

Roger said maybe housing will be part of phase 2, after a school-based clinic is established.

Valerie said the school is an eager partner. A nurse practitioner could be based there a certain number of hours a week. (*Paul Warden arrived at 8:03.*) It needs to be for the whole community from the start. Scot has been clear about that. Security is an issue. The community can't go through the school.

Valerie said the next meeting to discuss the clinic isn't planned. There probably will be one soon. She will take information from this meeting.

Doug asked how much staffing we could start with and what size the clinic would be. Valerie said it would have 2 exam rooms and a waiting area. In the very beginning it would be staffed by a medical provider something like 10 to 15 hours per week with support staff there longer. A lot of billing and administrative work can happen off site. School based clinics typically have a medical provider 10-15 hours per week but Scot has to crunch the numbers. Doug said only having a provider there 10-15 hours a week probably wouldn't get him to switch to using the clinic.

Greg said he is interested in something like this. He asked if this qualifies for the opportunity zone. Dan Noyes said that is a federal program. To be eligible you have to have profitability and reinvestment of capital gains. You need to get a 100% return within so many years and then the gains become tax free. It is set up for businesses to reinvest capital gains.

Brian said there are a couple of consultants who have offered services to us. Rich said he thinks it would be good to get hold of them. They have access to grants. Dan said he wonders if LEDC might be at the table.

Brian said there is a New Market Tax Credits Program that he thinks would be a good fit with this. We need a consultant's help setting that up.

Valerie said if we were going for the grant she had previously mentioned we would have to run the clinic 40 hours a week and Scot was willing to do that.

Brian said we have heard from people saying that when Dr. Rogers closed they couldn't find a provider in Morrisville.

Eric asked what Valerie is looking for from the selectboard. Valerie said they want to know if they are heading in the right direction. Does the selectboard have reservations or suggestions? How involved does the town want to be?

Doug said in his opinion it is tremendously important to bring in a physician or nurse practitioner on a 40 hours a week basis. A full time clinic is important and it needs to branch out and have a counseling aspect. Mental health care has been underfunded for years. Roger said getting Lamoille County Mental Health involved is important. Eric said he thinks there is a need and we have the numbers to support it. Kyle said she thinks a clinic is important for physical and economic health. It would have a huge ripple effect. Mike said it would be a great thing if we can pull it off and he doesn't see why we can't. (*Valerie Valcour, Roger Marcoux, Dan Noyes, and Rich Westman left.*)

#### **4. Discuss Goals and Vision for Johnson with Planning Commission**

Eric said the Planning Commission is probably pulling river corridors off the table. David said his understanding is that the Planning Commission's role was to recommend action on river corridors and they weren't comfortable with some of the definitions and with making a recommendation so they voted to table any recommendation for a year until things can be defined better. The definition of a river corridor is 50 feet from the top of the bank but the issue is defining the top of the bank. They won't say whether that means the high water mark or the average water mark. The top of the bank could be 50 or 60 feet above water level. River corridors are about the river changing course and causing erosion. If the top of the bank is 50 or 60 feet above the stream it is hard to change location. In lower areas with bigger streams and public safety hazards the Planning Commission has no problems with that. (*Phil Wilson arrived at 8:26.*) But they have issues in other areas. The state has already adopted this for anything that triggers Act 248 or 250. They did not bother to notify landowners or towns. For a local legislative body to adopt it there would have to be more zoning. He is pretty sure this town is not ready for that. There was some carrot dangling of partial funding for partial acceptance of river corridors. We could potentially gain a few percentage points of extra funding from the emergency fund.

Phil said he and Brian ran the numbers on what additional amount adopting river corridors would have gotten the town for the Coddling Hollow project. Brian said the difference would

have been less than 15% of the cost. Phil said we could get an additional 2.5% on top of FEMA money. For a big disaster it could add up.

David said the state indicated that if we adopt river corridors they would be happy to adjust river corridor boundaries. Phil said he thinks they were saying that if we adopt river corridors and have a suggested area for them to look at, they would. If we are not going to adopt them they would see no point in looking at adjustments.

David said the majority of the Manchester property is part of a river corridor so future development is difficult. No structure that impedes water can be created. Stacy talked about looking at the rip rap in that area and considering that with that in place the river corridor boundary could be adjusted.

David said with river corridors they are looking at protecting areas that have never been inundated in his lifetime. They are saying water could impact the south side of River Road East. Phil said he thinks they are saying the river could move.

Brian said he thinks if we don't adopt river corridors the state would examine factual errors but if we do adopt them the assumption would be that we have examined them more closely and if we said we disagreed because of mitigating factors they would be more willing to look at those if we had adopted them. He thinks that rationale would be that if we adopted them we would have spent more time looking at them.

David said the Manchester site is always going to be subject to Act 250 so river corridors will be applicable to that site by state statute. Phil said LCPC is looking for the state to better define what is allowed in terms of infill where there are existing structures. Some of the property may be infillable.

Kyle asked what downsides there are to adopting river corridors other than adopting more zoning. David said to him it constitutes a public taking. Down in the village where there are major water issues that create a public hazard it makes sense. Up where he lives, who is it going to hurt if a stream moves? You can apparently adopt river corridors for certain streams. Phil said he thinks that may be something they are still figuring out.

Doug said looking at the Brownfields area wide plan it seems to him that we may want to figure out if areas in the plan can be kept out of the river corridor or not. He would want the Planning Commission to keep an eye on it.

Phil said he thinks in a year we will have more answers. David said what was tabled was a recommendation, not any discussion.

Doug asked what the Planning Commission is going to work on. David said what the selectboard wants.

Charles said the selectboard had earlier mentioned Class 4 roads. Doug said he thinks Class 4 roads will be a significant problem for us. We will be under pressure to do work on them

because of Lake Champlain watershed problems. Do we want to improve that infrastructure? What does the Planning Commission think? Eric said the more we look into Class 4 highways the more complicated they become.

Brian said there is a different standard for Class 4 roads than for Class 2 or 3 roads, but maintenance on Class 4 roads is going to be required. Eric said some Class 4 roads have runoff happening that would require us to build a road to get to the section we would need to fix, like the Class 4 part of Coddling Hollow. David said he thought that part was thrown up. Eric said no. The question is whether we want to throw up that town asset. To get it back would require purchasing land. We have always been hesitant in the past to throw up any highway because they were town assets and it didn't cost us anything to have them in the past. If we didn't throw it up then we would have it if we needed it in the future.

Greg asked, what if someone gets hurt on a Class 4 road? Would the town be liable? Eric said probably but we have insurance that covers it, the same as any highway. Brian said he thinks anything not covered by immunity would be covered by insurance.

David said the Planning Commission could do some research on Class 4 roads.

Eric said another question has to do with maintaining Class 4 highways. We have had a policy of providing a certain amount of gravel free to property owners on those roads if they truck it themselves. This year the issue of permits for plowing on Class 4 roads came up. Is that something we want to continue to look into? People plowing are operating within the town right of way. The permit allows us to know they are doing that. One question is if there is more than one residence and there is not just one person who plows the road, do they all require a permit?

David asked if the town would have to get approval of all property owners on Coddling Hollow Road in order to throw up the road. Eric said no. The town would have a hearing and they would be invited as interested parties. The selectboard would decide based on the best interest of the town. We couldn't throw up the road completely, only change its designation to a trail, because it is a thoroughfare.

Doug said currently if property owners on a Class 4 road want it to be a Class 3 road they have to do the work themselves to bring it up to the Class 3 standard and then we can reclassify it.

David said Class 4 roads are the highest on the hills and the least traveled, so they are probably not the biggest problems. Doug said they are the closest to the upland streams. David said often the lower end of Foote Brook will be chocolate brown but it will be clear at his place. There is a cumulative effect as you go downstream.

Doug said he was thinking the Planning Commission could consider what would happen to our community if Class 4 roads became Class 3 roads. Is that somewhere they would like to see us go? Mike said eventually we would get our money back because taxes would increase. Brian said we would have to see new development to really return our money. Mike said that



might happen. Brian agreed it might. If roads improved more people might want to live there, especially if we had broadband. David said they might want power too. Charles said if there isn't power the Coop won't wire it. Mike said they will if you pay.

David said the Planning Commission can take up Class 4 roads. They will need information from the town on locations of roads and numbers of residences. Brian said the broadband committee wanted 911 addresses. We can get that information and overlay it with road classifications. David said the Planning Commission can consider whether there are areas where it may be preferential to go to Class 3.

David said ridgelines were mentioned. The Planning Commission spent a lot of time on that when they redid the energy chapter. Most of the ridgelines we can see are in Waterville, Eden or Cambridge. The Planning Commission felt like we would like to make a statement that we don't want to see wind development on those ridgelines but they are not in our town.

Doug said the village has expressed interest in expanding its water and sewer client base. The Planning Commission could look at where expansion of village water and sewer service would make sense for this community. Eric said the village wants border to border access to extend but the selectboard's concern was if they wanted to extend down Lendway Lane for example and as a result there would be more development we would have to bring that road up. We are very limited in what we can do with that road, with the trail on one side and the river on the other. We would like to have thought put into where we could extend sewer lines. We aren't supposed to use sewer lines as a way of zoning or limiting development. Brian said he thinks we can use them to encourage development. There is not a hard and fast rule about what we can do with rolling out sewer lines. Phil said the village charter allows the village to sell water and sewer within the village and to sell power within 1 mile of the village. Brian said there is also a town sewer service area that allows them to sell within that designated area. Doug said if the village has expressed a wish to expand, the Planning Commission could consider where it is in the town's best interest to go. Charles pointed out that the Planning Commission is also the Planning Commission for the village.

Charles asked how serious the idea of a brewery in Johnson is. Eric said that is what he had heard the purchase and sales agreement on the Catholic church was for. Charles said a brewery sucks up a lot of wastewater capacity. Brian said they could do a lot of pretreatment. Phil said pretreatment could be required of them before they send water to the sewer. Doug asked if the trustees have had any serious inquiries about a brewery. Phil said he doesn't know of anything.

Eric said if sewer line extensions were limited to Class 1 or 2 highways there wouldn't be an additional burden on the town.

Greg said extending sewer and water lines would cost at least \$100/foot so there would have to be quite a few houses for it to make sense. David said the hard part is that we are not just looking at existing density.

David asked if the selectboard is looking for the Planning Commission to come back with some recommendations. Eric suggested that they take a look at it and see what they think.

Greg asked if this is a village center. Eric said yes, it is a designated village center. Brian said he thinks it is a designated village center but not a designated downtown, which is the densest development designation. The village asked to extend the designated area as far as Old Mill Park but it wasn't extended as far as we wanted. We will look at that again in the future.

David suggested that Doug send the Planning Commission his ideas about things they could consider. Doug said he will write up something.

**5. Adjourn**

The meeting was adjourned at 9:12.

*Minutes submitted by Donna Griffiths*

UNAPPROVED