

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, APRIL 17, 2017

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse

Others: Brian Story, Rosemary Audibert, Brian Krause, Jen Burton, David Butler, Lois Frey, Charles Gallanter

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Doug called the meeting to order at 7:37.

2. Additions, Changes to Agenda

Brian S. added reappointment of him and Brian K. as representatives to the county transportation committee. Nat said he wanted to talk about the annual Memorial Day fun run. Brian said he doesn't think Seth Manchester can attend tonight's meeting but he will discuss his appointment to the solid waste board. He also wants to add a request to the board to come and sign a couple of check warrants this week.

3. Review and Approve Minutes of Meetings Past

Kyle moved to approve the minutes of March 20, Nat seconded, and the motion was passed.

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

Rosemary said year to date expenses are 72% of budget in the 10th month of the year. Income is at 101%.

Wicked Wings has applied for a liquor license with an outside consumption permit. What they are applying for is the same as what they have had in previous years. **Nat moved to approve a liquor license for Wicked Wings with an outside consumption permit, with the usual letter to be sent, Kyle seconded and the motion was passed.**

Rosemary said current taxes are 77.93% collected. The delinquent tax sale is scheduled for May 12 at 10:00. One property from last year's tax sale has not been redeemed.

5. Planning Commission Report

David Butler said at the last meeting the Planning Commission made all final changes to the form based code map and the form based code itself and they made the last change to the administrative section. They changed the April 26 meeting from a public hearing to an information session to get the public involved in seeing the changes made. They will probably establish a date for a hearing after that.

Kyle asked if there is a way to see the original document and the changed document. Brian S. said the original document is on the town website. David said there are a lot of changes.

6. Road Commissioner/Road Foreman Report and Action Items

Brian K. said mud season is not going too bad. There have been no big failures. It has been a little worse than last year. The final number for salt usage was 70 tons above average. Nat asked if that figure is for salt purchased, not salt used. Brian said yes; there is still some left.

Brian K. said he would like to continue to be the backup representative to the Transportation Advisory Committee when Brian S. can't make it.

Nat said last fall we deferred a mud abatement project to spring. Is that still on the radar?

Brian K. said he has not discussed that with Brian S. yet. Brian S. said they will have to spend some time looking at that. We are not in good shape as far as the winter road budget. He doesn't think we will have to put off mud abatement entirely, but he is not sure how much money we have for it. Doug said he feels mud abatement should be a priority. Other board members agreed.

7. Jen Burton – Update on Progress of Bread Oven for Legion Field

Jen Burton said she was late getting her grant applications submitted for the bread oven. But she has turned in the applications and should know the status in June. She has gotten donations of stone and sand and a \$1000 donation for the structure and she is working on a cement donation. The board had told her previously that they didn't want her to start before she had funding. She proposes to build the structure first, before building the oven. If the oven never gets built, it would not be the end of the world to have an enclosed spot for people to use. She thinks it makes sense to build the structure first. She can do that before grants come through with the donations she has.

Nat said he thinks we made a mistake in the building of bandstand by not having money in place first. We ended up in an uncomfortable situation because not enough money was raised and taxpayers paid for it. Jen said she has funds in place for the structure. She is proposing just building that and then if she didn't get grant money for the oven there would be a structure for people to hang out in. She can guarantee she has funds for the structure before moving forward. If she has funds, can she do it?

Kyle asked how big it would be. Jen said 12 ft. x 16 ft.

Brian S. said he has talked to the Historical Society about locating it near where they set up to sell pies. We could incorporate our electrical meter and a water outlet into the structure.

Doug said he would like us to ask our attorney whether this would need an Act 250 permit. Brian said he will check.

Doug said he doesn't know who the stakeholders are for determining where it goes. It seems we don't have a plan for development of this area. We should think about the overview. Jen said she doesn't have an agenda around location. Doug said he thinks this affects his thoughts about authorizing construction. Nat said the Rec Committee is a stakeholder. They have been talking about what ball fields to reconstruct and use. The Legion Field ball field will definitely be used for the foreseeable future. He thinks the spot where the Historical Society sells their food is well out of the way. He would want Little League parents to be asked. Kyle asked, if the structure were built where the Historical Society sells pies, would they move to a different location? Brian said they might want to move to a different site or just move over a little. Jen said she thinks they would only need to move a short distance.

Jen said she will secure funding and come back to the board. (*Jen left at 8:00.*)

8. *Reappointment of Seth Manchester as LRSWMD Board Representative*

Brian S. said Seth Manchester is interested in reappointment to the LRSWMD board. He is interested in coordinating more closely with Brian and the selectboard and being a better conduit of information. **Mike moved to appoint Seth Manchester as Johnson's representative to the Lamoille Regional Solid Waste Management District board, Kyle seconded and the motion was passed.**

9. *Administrator's Report and Action Items*

Brian has been going to Green Mountain Byway meetings for quite a while now. They want a letter of interest and with board permission he will draft it. The Vermont Byways program is one of the state's preferred programs for allocation of tourism dollars. They spend in excess of \$20K on marketing focused around these byways. The Green Mountain Byway runs through Stowe and Waterbury and they want to extend it to Johnson through Hyde Park, Jeffersonville and Cambridge, maybe Morrisville. There is precedent in the state for non-contiguous byways and we would be contiguous if Jeffersonville joins. It would add us to marketing opportunities. The state takes byway advertising to tourism events. People can get byway itineraries on their website. The program formerly got federal dollars but federal dollars won't be spent to upgrade the map. The money will come from member communities and from private funds. Our letter of interest doesn't commit us to spend money but if we definitely aren't going to spend money we should leave now. The proposal is for each of 5 communities to share the cost equally. We could ask the village to contribute and solicit for private funds. Our estimated expense is \$5K. They are looking at a final deadline of roughly January.

Doug said the money would come out of this year's budget. Brian said yes, and we couldn't absorb \$5K without noticeable impact. We can work with Johnson Works and see what kind of support we could get from businesses. Doug asked what the likelihood is that the other communities will join. Brian said Hyde Park seems very interested.

Kyle asked if they know how much tourism actually comes into the Byway towns. Brian said it is hard to say. This is one of the state's highest priorities for spending tourism money. A lot of the Byway communities see a lot of tourism but they have lots of obvious reasons for tourism anyway. It is hard to measure the impact of this.

Doug said this could be a great opportunity to market the rail trail. Brian said the rail trail, Long Trail, and Paddlers' Trail are part of why he thinks we will not get out of making some contribution. A lot of what we have to offer is not businesses, but natural things.

Kyle moved to authorize Brian Story to continue to attend the Green Mountain Byway management group meetings, seconded by Nat.

Nat asked if there is any ongoing fee. Brian said there is no ongoing fee but there will probably be some ongoing cost. We will probably be asked to pay for printing new materials. We might want to resurvey businesses and make sure everything is accurate

Nat said the \$5K figure concerns him. He thinks Kyle asked the right question. How do they know it's effective? Brian said he can see if they have any impact study and he can provide more information on how the state has spent money on this program.

Doug said it seems to him this is a real opportunity for us to try to siphon off people that are in Stowe. There are 3 outfitters that operate all summer long on the Lamoille. People beyond locals are starting to use our attributes.

The motion was passed. *(Brian K. left at 8:13.)*

Brian said there is a private driveway that needs to be reclassified as a private road – the driveway that goes to 1188 and 1200 Route 100C. A new house is being built and state law says once there are 3 dwellings on a shared driveway it needs to be classified as a private road. The owners suggested Bouchard's Way as the road name. We have to put a sign up. We can ask them to pay for it but we would probably want to install it ourselves.

Kyle asked, we don't have to plow it? Brian said no. Making it a road is mostly for 911 purposes. Nat said in past years we have asked the Historical Society for input on new road names. Doug expressed doubt that we have the right to name private roads. Nat said he would like to run this by the Historical Society. The board agreed to let the Historical Society come up with a name. Doug asked Brian to check with the property owners to see if there is any urgency on this, so as not to hold up their project. Brian agreed.

Brian said the most recent draft of the Policy for Appointments to Municipal Volunteer Groups incorporates the changes that were asked for. He noted that some Conservation Commission members objected to the provision that the selectboard can remove a member by unanimous consent. Lois said the Conservation Commission didn't discuss it at a meeting.

Mike suggested numbering policy revisions so versions don't get mixed up. Nat agreed that is a good idea. Brian said he will start dating his revisions.

Brian said he doesn't recommend changing the part that says the selectboard can remove a member of a group. Lois said what she had asked Brian about was how the selectboard decides to remove a member who may not have been attending meetings but may not have submitted a resignation. Brian said he didn't add language about when the selectboard could remove a member. He didn't want to lock us in. He wanted to make it difficult but wanted it to be possible for a removal to originate with the board or with the group.

Doug suggested rearranging sections of the policy.

Doug said he recommends that committees bring it to the board's attention if they have non-contributing members. David Butler asked if the board would want a recommendation to remove a member to come from the chair or from any committee member. Mike said he thinks it should come from the chair. Doug said even if the chair disagrees he should bring it forward. Lois said the Conservation Commission says if a member misses 3 meetings

without checking in they should step down. Brian said individual groups can handle removing people internally.

Nat said a reason for this policy was that people have expressed interest and not been given an answer yes or no. He doesn't see that this addresses that. It seems that at end of the process the applicant should get some response.

Brian asked if we want a requirement that we have to make an appointment, so we would have to tell anyone not appointed that they were not appointed. Doug suggested saying that we shall make an effort to appoint someone within 60 days. Nat said he likes that. It gives some flexibility but states our intention to get back to an applicant. Brian suggested saying that the selectboard will reach out to applicants within 60 days to notify them of their status. Nat suggested the 60 days should start when the applicant applies in writing.

Charles Gallanter asked if there is a provision for how the selectboard is going to advertise openings. The way they have been advertised in the past hasn't been consistent. Brian suggested using the town website, Front Porch Forum and the News & Citizen. David said he doesn't think the board should be locked into where to advertise, as things change over the years. He suggested just saying the board takes responsibility for advertising the position in a reasonable manner. Nat agreed. Kyle said she likes the idea of letting people know where positions will be advertised. Brian said we could say positions will be advertised in 3 publications such as Front Porch Forum, the town website and the News & Citizen. Doug said he thinks we should focus on consistency of where to advertise, so people will know. Charles said if it is left discretionary the board might choose based on the audience they want to reach. He thinks it should be defined where positions will be advertised. Policies can be changed. If the News & Citizen goes out of business the policy can be changed. Brian said it is not that hard to change a policy.

Nat recommended saying the selectboard will notify the applicant of a decision within 60 days of the applicant's written notice of interest.

Brian said he would rearrange the sections as suggested by Doug and add that the selectboard will post vacancies in the News & Citizen, Front Porch Forum and the town website. Nat said he objects to that. He doesn't want the Rec Committee to have to spend money to advertise in the News & Citizen every time someone wants to join. Kyle said a lot of people are not online. Brian suggested we could say the board will advertise only when informed of a vacancy. We could let groups fill vacancies on their own and only come to the selectboard if they can't fill a vacancy. Doug said he doesn't like that and other board members agreed. He suggested saying we will advertise on the town website and on Front Porch Forum and, when the board so directs, in the News & Citizen. Mike said the selectboard should pay for the ads. Charles said he understands Nat's argument about the Rec Committee, but there are committees that have legislative power. Those should be advertised in the broadest way, including paying for advertising in the News & Citizen. Doug agreed. Nat said the most effective way to get applicants is to call people on the phone. Charles said codifying how to post vacancies doesn't prevent that. Nat said he thinks for a committee that doesn't have statutory responsibilities advertising in the paper is an unnecessary complication. Brian said

he will add a sentence saying that positions will be advertised on Front Porch Forum and the town website and, when the selectboard directs, the News & Citizen. Kyle said she thought we were going to be more specific about when we would advertise in the News & Citizen. Doug said he thinks we should look up which groups have rule making ability, etc. and defer the decision until we have that information. (*David Butler left at 8:51.*)

The Skatepark Committee will be having a fundraiser with live music on May 6 from 4:00-7:00 p.m. with a rain date of May 7 and they have requested a noise ordinance waiver for both days. They have not yet filled out and signed the waiver request form.

Mike moved to approve the Skatepark Committee's noise ordinance waiver request for May 6 and 7 from 4:00-7:00 p.m., provided a properly signed form is submitted, Nat seconded and the motion was passed.

Brian said the walkway in front of Holcomb House (not the public sidewalk) needs to be repaired after some repairs were done to their wastewater system. Doug said he would like to fix it but thinks we should find out the cost. Others agreed.

The board had previously received a request for the Johnson transfer station to be a Temporary Debris Storage and Reduction Site. The board had asked how long waste could be left at the site. The default period is up to one year but that could be modified by a disaster declaration to a shorter or longer period. Doug suggests saying no. He would rather they asked us at the time the site is needed so we would know what was going in. Mike said he thinks we should have more information. Nat asked if we can get a copy of the agreement they are asking us to sign. Doug said he would like to ask them if they had prior agreements, what they deposited and whether they removed it. (*Lois left at 9:06.*) Nat asked if this is an area where we might expect our solid waste board representative to facilitate communication. Brian said he can ask him and he can also reach out to the solid waste management district. This is coming from the state, not from LRSWMD.

On May 8 there will be an additional information session on Enhanced Energy Planning at the Johnson Municipal Office.

Brian said Gould Hill Road may not be a suitable candidate for reclassification as a Class 2 road because one of the state's criteria for a Class 2 road is that it travels from town to town, which Gould Hill does not. That is not an absolute requirement but it is something they would want to see. We could think about reclassifying Upper French Hill. We would need a traffic study. Brian is going to work with LCPC to commission a traffic study of Upper French Hill.

Doug said he is not so much in favor of the swap idea anymore. If a road became a Class 2 road, would we have to spend more money on it? Brian said we would if it didn't meet the criteria. Nat said we would get more money for it too.

Brian said we are on track to reopen the gravel pit in May or June. We hope to send in the one employee who is currently trained before the others complete training.

The Vermont Community Development Association spring meeting is May 10. It is a free meeting that will focus on the economic impact of trails and rec paths. Brian plans on attending.

10. TAC Appointments

Nat moved to reappoint Brian Story as representative to the Lamoille County Transportation Advisory Committee, with Brian Krause as alternate, and to authorize acting chair Doug Molde to sign the letter of appointment, Kyle seconded and the motion was passed.

11. Annual Fun Run

Nat said the Rec Committee is planning its sixth annual fun run on May 29. Typically the runs have started at 9:00. It might start a little earlier this year. The route goes around Old Mill Park, then east on the rail trail. It crosses Railroad Street and River Road East and then comes back.

Nat moved to authorize the Rec Committee to use a course crossing Railroad Street and River Road East on May 29 for a fun run, seconded by Kyle. Kyle asked if it is the same course as last year. Nat said yes. **The motion was passed.**

12. Warrant Signing

Brian asked board members to stop by the municipal offices this week to sign a couple of check warrants he needs to send through the system.

13. Executive Session – Negotiations for Purchase of Jewett Property

Mike moved to go into executive session to discuss purchase of the Jewett property, Nat seconded, the motion was passed and the board entered executive session at 9:19. The board came out of executive session at 9:44.

14. Adjourn

The meeting was adjourned at 9:45.

Minutes submitted by Donna Griffiths