

JOHNSON SELECTBOARD MEETING MINUTES  
JOHNSON MUNICIPAL BUILDING  
MONDAY, JULY 1, 2019

**Present:**

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Eric Osgood

Others: Brian Story, Rosemary Audibert, Tom Moog, Carol Maloney, Greg Tatro, Tasha Wallis, Lois Frey, Sue Lovering, Jasmine Yuris

**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**

Brian added a request for the board to write a letter to VTrans requesting reconsideration of speed limits on 100C and facility use requests. Nat said he had some recreation items, including purchase approvals. Brian said the first agenda item under Administrator's Report needs to be modified. It will be a discussion of road blocks to setting the tax rate. *(Mike arrived.)*

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

**Nat moved to approve the minutes of June 17 with one correction: "Nat asked if we can make sure the people living in the trailer are provided some social services" should be corrected to "Nat asked if we can make sure the people living in the trailer are connected to social services." Mike seconded, and the motion was passed with Doug abstaining.**

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

Rosemary said the state tax department has provided final tax rates for some but not all towns. Our final tax rate is not yet available. The tax department said the rest of the towns' tax rates are under review now by supervisory union business managers and the Agency of Education and will be published in coming days. The Lamoille North business manager is out of town.

Tom Moog submitted an application for a liquor license for Hogback Snacks. Tom said tomorrow he plans to drop off an application for outside consumption as well. He said he has had a business in Morrisville for 8 years with no problems. He would like to open up a nice food establishment with inside and outside dining, including beer and wine.

Nat asked where the outdoor consumption would take place. Tom said for now he would like to use the back patio. In the future he would like to add a deck for dining in front of the building. He would like to have some events on the property. In answer to Rosemary's question he said he hopes to open in August.

**Mike moved and Doug seconded to approve a liquor license with outdoor consumption on the back patio for Hogback Snacks, with the usual letter to be sent.** Eric explained

that the board usually sends a letter explaining that it reserves the right to revoke the license for a certain time period if there is a violation. Nat said Tom should come back to the board if he wants to expand the outside consumption area. **The motion was passed.**

**5. Meeting with Representatives Working on Community Health Center**

Carol Maloney said CHSLV has had several meetings over the last year about health services in Johnson. They have met with stakeholders, including representatives from the town and village, the university, Laraway, LCPC, and the school. They thought they were going to get a federal grant this winter to expand into Johnson. But it turns out they weren't eligible for that grant so they turned their eyes toward the school. Since then the Tatros have come up to the table with resources and ideas. What they have are two parallel and connected projects. CHSLV has over 2000 registered patients from Johnson – two-thirds of the community. Of those, 346 are 12 and under. The project at the school is the short term focus for now. LNMUUSD approved \$27K to renovate a room in the school. CHSLV will contribute up to \$5K if needed. The school will divide a large room in half and half will be used for a health center for school students only. The plan is to have a primary care provider – either a doctor or a physician assistant – there 1-2 days a week on an appointment basis. There is a full-time nurse there now who sees an average of 7% of the students each day. Eight to 15% of students don't have a doctor of record. Almost 10% have never seen a dentist. Mental health services will probably be provided 2-3 days a week and a dental hygienist will probably be there on a rotating basis. CHSLV will provide furniture and equipment. The cost for that will be almost \$10K. The school is having trouble finding a contractor. She is not sure how quickly the renovation will happen. It could be January before the health center is operational. It will serve JES students in grades PreK to 6. Families may be part of mental health services or may be referred elsewhere. If students are not CHSLV patients the doctor will coordinate with their existing provider. They won't have to switch providers. CHSLV will be providing billable services. They are looking for grants to help with startup costs and possibly providing other services that would not be billable.

Eric asked if billing happens offsite. Carol said yes; it happens at the Morrisville office.

Doug asked if there is any program they are copying. Is there a template for this in schools? Carol said Winooski has a school-based clinic with providers from UVM and the Community Health Center of Burlington. South Royalton has a program that has been going on for 20 years. Bennington set up a program that provided a dentist and doctor full-time in the school. There are limited models in Vermont and there are national models as well. The state is starting a group to share best practices for school health centers. They all look a little different.

Doug asked if CHSLV has the staffing lined up. Carol said Dr. Balu, a CHSLV pediatrician, is committed to this project and excited about doing it. Her vision is to be linked to the high school as well. Lamoille County has a low rate of well child visits. CHSLV will use existing staff, no one will be here full time. They are confident they will have staff.

Doug said he thinks this is a great idea. He is glad CHSLV and the district are focusing on this need. It is tremendously important.

Carol said the school district and superintendent Cat Gallagher have been enthusiastic. Cat Gallagher and JES principal David Manning have met with parents to address community concerns.

Greg Tatro said he is talking to CHSLV about putting a small building in the lower parking lot at the church to provide full service healthcare. CHSLV has to serve everyone whether or not they have insurance. They have sliding scale fees. He thinks this community would benefit from that. Carol said CHSLV gets some federal grant money to cover under-insured and uninsured patients. They can't turn anyone away from a community health center. They can turn away people at the school.

Greg said he thinks it will take quite a bit to get the project at the church going. Carol said they are thinking a couple of years out is a reasonable timeline. Greg said it takes a while to get the grants and they can't start building until they know funds are there.

Greg said he would like to use the chapel floor of the church as an event center to raise funds. They might bring in a band or speaker or have sober parties for recovering people. Perhaps it could be used for a funeral for a donation. The Recovery Center has already contacted him about an event they want to have there in September. Plans for the basement are up in the air. He contacted a company that does sober living but they felt the downstairs of the building would not be a good place for people trying to recover because there would be so much activity upstairs. The Tatros' vision is that the chapel part could benefit the community. They need to do fund raising for Jenna's Promise. They are going through Act 250. They have investigated some other areas for sober living. That is a goal they want to accomplish. They may be able to work something out on that street. Their ultimate dream would be to make a lot of that street a sober community. Their Act 250 permit application includes a building of about 3500 sq. ft. He will be looking to townspeople for ideas for the space.

Eric reminded of Greg of the ability to get tax stabilization for town taxes. If a project creates enough jobs it might qualify for school tax stabilization, too.

Doug asked how people can get ideas to Greg. Greg said jennaspromise.org has an email address and phone number. Local people can call him at home or at his business.

Doug said he thinks this plan is also directed at a great need. He feels this is not a time for a "not in my backyard" attitude.

Carol said there have been a lot of rumors related to changes at CHSLV. Three doctors are leaving Morrisville Family Practice to set up their own private practice in town. They serve almost 6000 patients. CHSLV has about 16-17,000 patients altogether. Those 3 doctors will be replaced with other providers. One new doctor is coming in August. Two physician assistants are also leaving. It won't destabilize the organization. CHSLV is confident they can deal with it.

Tasha Wallis, executive director of LCPC, said she thinks the issues of health and wellness and opioid addiction are issues regional planning commissions should be doing more about in the future. LCPC is making a commitment to take more of this on. This project is part of that larger issue.

Carol said CHSLV met with Senator Leahy's staff. They had a meeting with Senator Westman, who is committed to supporting them. He is trying to get some piece of this in the governor's budget or to look at how the state can support it.

Greg said he thinks expanding the village center designation would help.

**6. *Creation of Committee to Manage the Community Oven***

Brian said volunteers have been doing a very good job with management of the community oven. But we learned a lesson with the Tuesday Night Live Committee. There were people working on behalf of the town with little to no oversight and little feedback and then there were questions about their relationship with the town. It might be worth forming a committee to manage the oven and empowering them now while it is relatively new. Jasmine Yuris and her family are the volunteers he has been most in contact with. We could work with her to see who is willing to serve on an official committee.

Eric said the volunteers are starting to raise funds. The money goes through the town office.

Brian said we can define the number of committee members or work it out with the volunteers as we go. If we don't set the number of members it raises the question of whether or not they have a quorum.

Mike said he thought the main drivers of this community oven were going to keep being involved in it. Eric said his understanding is that they got it built and did training but now there are weekly community events and people raising money. The situation is different now. Mike said he thinks when we approved this we thought the group that built it was going to take care of it. Now it appears it is falling onto the town to manage it. Brian said the question is whether we want to wash our hands of it and say it should be entirely citizen led or take some ownership.

Nat said it was explicitly said that the volunteers who built it would take ownership. Now he thinks people are realizing it requires more management than expected. He supports the idea of a committee. He would want to talk to Jasmine about the idea of having it be a subset of Johnson Recreation instead of forming a whole new committee. Brian said he thinks it would be great if Johnson Rec could be more Parks and Rec. Nat agreed.

Mike said we had discussed repairs needed to the oven. Eric said that is another issue. Jasmine is raising funds to do what she is doing. She is not maintaining the oven. Maybe there should be a group that does management and maintenance. The concern that came to us was that funds going through the volunteers automatically become town funds that need to go through Rosemary. We need to formalize that.

A community member asked if the board is talking about giving the oven committee a budget. Eric said no. Mike said he hopes it doesn't get to that.

Brian said he wants to make sure the board knows the town is acting as fiscal agent for the bread oven in applying for grants and handling funds.

Doug said he thinks we ought to have a committee. He is not in favor of Rec Committee involvement. He thinks this is more like Tuesday Night Live, unless the Rec Committee can become adult-oriented. There is a whole area of outdoor recreation for adults – trails, etc. – that the Rec Committee hasn't gone into. Maybe now there will be sufficient staffing to allow that. He thinks of the bread oven more as a way to help people feel good about the community than as a recreation thing. But if the Rec Committee could run it successfully he is not opposed to that.

Nat said he will talk to Jasmine about this.

7. ***Request from Conservation Commission to Reserve Funds for Current Expenses***

Brian said the Conservation Commission wanted to hire Redstart Environmental to work with invasive species at Journey's End and the Beard Recreation Park. The work will be done in September but it was approved during the 2018-19 budget year so they would like to spend the money to do the work out of this year's budget.

**Mike moved and Nat seconded to commit the \$1200 in the FY18-19 budget that was dedicated for Redstart Environmental invasive species work to be carried over to next year's budget and the motion was passed.**

Lois said the Conservation Commission is having a cutting session on July 14 at Journey's End. Redstart asked them to cut the invasive plants down early.

Lois said the Conservation Commission had a set of steps installed at the Beard Recreation Park. They have also discussed putting in an accessible trail to the picnic table, which would cost about \$4500 at most. If they have some more money left over it would be helpful if it could sit there to possibly be used for that project.

8. ***Facility Use and Noise Ordinance Waiver Requests***

Brian said the town got a noise ordinance waiver request from Howard Romero on behalf of Tuesday Night Live, a facility use request from Sophia Berard for a birthday party at Duba Field and a facility use request from Lamoille Housing Partnership for a fundraiser at Legion Field on September 7. Brian said Lamoille Housing Partnership served alcohol at last year's fundraiser and they intend to do so again. They will have a special event permit for the Alchemist Brewery. In the past we have asked those serving alcohol to cooperate with the sheriff's department. **Mike moved and Nat seconded to approve the noise ordinance waiver request for Tuesday Night Live, the facility use requests from Sophia Berard and the facility use request from Lamoille Housing Partnership with the stipulation that Lamoille Housing Partnership cooperate with the sheriff's department.**

Nat said Sophia had asked him about using Duba Field for the party and it sounded to him like regular park use that wouldn't require a facility use permit. Brian said we usually ask people to submit a facility use request if they want primary use of the facility. If they are using the park and it doesn't matter who else is using it they would not necessarily need a permit. He told Sophia there was no conflict on that date, no sports teams planning to use it, but that she could reserve it for her use. We don't charge fees. It is just convenient to be able to reserve the space. **Mike and Nat agreed to a friendly amendment to authorize the**

**chair to sign the two facility use agreements and to authorize Brian to sign the noise ordinance waiver. The motion was passed.**

***9. Creation of Committee to Manage the Community Oven (continued)***

Jasmine Yuris arrived. Eric explained to her that the board felt there should be some kind of town entity managing the oven, possibly as part of the Rec Committee. Nat said he wanted her thoughts on whether the oven management group could be part of the Rec Committee.

Jasmine said she thinks it would be good for the oven to have its own committee. It seems as though Legion Field is changing and is no longer a place for organized recreation. The things the oven volunteers are trying to do are very specific around that oven. She asked people who might be interested in being on a committee and she has five people.

Doug suggested that perhaps one of the members of the committee ought to be someone on the Tuesday Night Live committee, in order to facilitate communication. Jasmine said one of the people who is willing to be on the oven committee is also on the Tuesday Night Live Committee.

Jasmine said the volunteers are trying to write grants. She has been working with Brian on that. They are trying to make meals at the pizza oven 100% free. They got one grant so far. She applied for 4. They just wrote a grant to get picnic tables. They are experiencing some setbacks with the structure of the oven. Someone from Elmore Mountain Bread is willing to do structural work for us but we need to have bread oven sponsors to do that because there is no budget for the oven. She is trying to figure out the best way to reach out to people to be sponsors.

Mike asked what the repairs will cost. Jasmine said she has no idea.

Nat said it was the board's understanding that Jen Burton would lead management of the oven. He is wondering what her role in this would be. Jasmine said she thinks it would be silly to hold Jen 100% accountable, because it's a community oven. She has kept Jen abreast of everything she has done. Jen very eagerly handed the baton to Jasmine and Jasmine took it willingly. Nat said he thinks it is great that there is more than one person involved. He thinks there should be.

Mike asked if Jasmine prefers a standalone committee.

Jasmine asked if it matters how many meetings a committee has a year. Board members said no. Nat said but when the committee makes decisions about spending money etc. it must be done in a public meeting that is warned. The committee must publish minutes and comply with open meeting law.

Jasmine said she would prefer to have a committee that stands alone unless the board thinks otherwise. Mike said if people are interested in doing anything it is his job as selectboard member to make it as easy as possible for them to do it, so if that what she thinks makes it easiest he would support it.

Doug suggested that the committee might come to the selectboard twice a year to tell the board what they are planning to do and what they did. He suggested that maybe before people are appointed to the board a charge for the committee should be defined. Eric said the committee could be assigned to develop that. Lois said in the past committees have prepared the documents and the selectboard has approved them. Eric said the committee should prepare a description of how they will be organized and what their mission is. Mike said the committee will choose a chair. Lois said they will need a secretary to prepare minutes and get agendas out. Jasmine asked if they need a treasurer. Eric said Rosemary will serve as treasurer.

Jasmine asked, when they get sponsor funds will they have their own account? Eric said it will be under Rosemary. Brian said it will go to the town. Mike said there will be a designated fund.

Mike moved to create a 5-member committee to oversee the community oven, seconded by Doug.

Jasmine asked if she can start seeking sponsors before she comes back next month with the committee's mission. Board members said yes.

Nat asked if we want to solicit members on Front Porch Forum before making appointments. Jasmine agreed to that. Mike said if more than 5 people want to join maybe we shouldn't limit the committee to 5. He withdrew his motion.

Eric said the board will set the number of members depending on the number of applicants. Anyone can go to meetings but only members can vote.

**Mike moved to create a standalone committee for oversight of the community oven, Doug seconded and the motion was passed.**

***10. On-Call Compensation Proposal***

Brian said the highway employees have a counter proposal regarding on-call pay. At the last meeting the board suggested we stick to the amount we have the potential for saving, which would translate to winter on-call compensation of about \$124 per week for 3 members for 22 weeks. Our general concern was that if we went over the amount we were saving the money would have to come out of some line item because we didn't have it in the current budget. As a compromise the highway department employees are asking the board to consider \$100 in on-call pay for 3 members for 22 weeks and an additional 4 hours of comp time. They asked for comp time but it would be better to track it as additional vacation time. We could pay for that out of the current year's budget. We would assign a certain amount of compensation for being on call to vacation time where we have hours budgeted. The total monetary value would be at or above the \$200 per week initially requested but it would come out of a budget line item in a way that we could pay for in the current year.

Mike said it sounds like a better deal for employees than their previous request. Nat agreed. Mike said it was supposed to even out and we figured out a way to do that. He doesn't agree

with what they are suggesting. They said the cost and savings would even out and we figured out a way to even them out. That is how it should be.

Doug asked, if it comes out of vacation time how does that affect work output? Eric said there would be less available time. Brian said this is a commitment the employees are making. In the past we haven't assigned any vacation time during winter. Now we can afford for some people to take some vacation time during winter and we would prefer if they did because we are short man hours during summer. Supervisor approval is needed for vacation time to be taken. Because of the way our banks work there would be a significant impact on morale if we didn't generally approve vacation time, especially for those close to filling their bank. Doug asked, so it would be hard to control because of morale? Brian said yes. In the past everyone has wanted to take the same time off. If vacation time is spread out it is easier to handle.

Mike said they asked for parity and we gave them parity. What else is there to talk about? We treat our employees well. In summer they come in at 6:00, skip lunch and leave at 2:00. A lot of companies don't let employees do that. It gives them the whole afternoon.

Brian said they were asking for \$200. They thought that would be paid for. It is not paid for but he thinks they would still say they want \$200.

Nat said he thinks we left the meeting saying that if it evens out then what they asked for would be fine.

Mike said when they took the job there was nothing about on-call pay. It was never a condition of their employment. They took the job the way it was.

Doug said he thinks they missed the point. We were concerned about parity, not where in the budget the money comes from. We are willing to do parity. The present proposal doesn't do that.

Nat asked, \$124 for 3 members for 22 weeks equals the savings we will get from eliminating the 4-hour minimum callout? Brian said we will eliminate the minimum for the winter months and reduce it to 2 hours for the summer months. There would be no on-call compensation during summer and in winter there would be no minimum callout but a certain number of employees would get additional compensation for being on call.

Nat said he thinks it is good to be paying them for being on call. That gets us out of a legal gray area. We need to do that. He comfortable with \$124 or \$125 for 3 members for 22 weeks with the minimum callout reduced to 2 hours in summer and no minimum callout in winter.

A community member said she has heard that our road crew is the highest paid or one of the highest paid in Vermont. Is that true? Board members said no. Eric said we try to be at or above the average for comparable sized communities. He thinks most of our highway employees are a little above the average.



Brian said our overtime pay has become less generous than some other communities, so employees are asking for some compensation to regain some of what they feel they lost as our overtime policy became more strict. Eric said they sacrifice every weekend for 5 months out of the year. Labor laws require that they be compensated if we expect them to do that. We have recognized that we need to do that.

Nat asked when the 22 weeks starts and ends. Brian said we have suggested the third pay period of November to the second pay period of April.

**Nat moved to pay \$124 per week of on-call pay for 3 members of the town public works department for up to 22 weeks a year, from the third pay period of November to the second pay period of April, and to eliminate the minimum callout pay in the winter months and reduce the minimum callout time to 2 hours for the summer months.** Mike asked why we are paying 3 employees and not 4. Nat said this past winter they started rotating out so one person was not on call each week. **Mike seconded.**

Doug said he thinks if there is some way of not voting on this he thinks we should defer the decision until next time and have the employees there and tell them the motion that will be voted on and have a discussion. Brian said he thinks that would be more diplomatic. Nat said the longer we wait to make this change the more of the summer savings we lose while still having the offsetting expense.

**The motion was passed with Doug opposed.**

***11. Letter of Intent for Fox Lot Grants in Aid***

Brian showed the board a letter of intent to participate in the Municipal Roads Grants in Aid process. Brian Krause is looking at Fox Lot Road as a site for ditching improvements and stormwater improvements. The selectboard needs to sign the letter of intent. We expect this to be done by October 31 of this year. The last page shows the amount we qualify for. There is a final offer that can be made depending how many people submit letters of intent. Our base rate is \$12,700, with a match of \$3,175 which can be cash or in kind. We usually do an in kind match.

**Doug moved to sign the letter of intent to participate in the Municipal Roads Grants in Aid process for Fox Lot Road, seconded by Mike.**

Nat asked how Fox Lot was identified as a priority. Brian said he and Brian K. keep a tally of current priority projects and how they fit with available funds. This will cost around \$12K and has a high need.

**The motion was passed.**

***12. Update on Joint Employees***

Brian said he and Meredith are investigating a proposal for joint employees. They are getting in touch with other communities that have similar situations. They are still gathering information. They will research neighboring communities and come back to the boards. If there are no joint employees but one entity contracts with the other for part of an employee's

time we will still be impacted by each other's decisions on pay but won't have input over them. Eric said the impact on the town will be pretty minimal if we are only contracting for 20% of an employee's time.

Nat said now we have two joint employees. We are paying 60% of one and 20% of the other, which is 80% of a person. If we have one full-time employee we will have to spend 20% more for that person's salary. Eric said no, because we will get compensated. We will get 20% back at the end of the year as part of the contract.

Brian said he and Meredith will propose leaving the existing percentages in place for the first year and then tracking hours to get a more accurate number. We would have to track hours for a full year because it varies a lot from week to week and month to month.

Lois said at one point it had been mentioned that there aren't job descriptions for all employees. Eric said there are.

Doug said he thinks the problem will be the question of people with differential wages in the same office. But we will not have the question of one board thinking a person should be disciplined and other board disagreeing.

### **13. Request for Letter to VTrans**

Brian said Casey and Howard Romero requested that the town send a letter to VTrans asking them to reconsider the speed limit around the twin bridges area on 100C. There are limited sightlines there. The current speed limit is 35 mph. This case is similar to the case we had on the far end of 100C where we had residents request reconsideration of the speed limit. We were denied at first and then our request was granted on review. The state's view is that we should enforce the speed limit we have if the problem is people speeding. We might win on review because there are limited sightlines.

**Mike moved to send a letter to VTrans asking them to review the speed limit for the twin bridges area of Route 100C, seconded by Nat.** Nat said he doesn't think lowering the speed limit will have any effect. People speed through there. We need targeted enforcement there. **The motion was passed.**

### **14. Recreation Committee Update**

Nat said Heather Rodriguez, who served as part-time rec coordinator until this past Thursday, identified about \$2200 of rec equipment she felt was important to buy in the new fiscal year starting today. But there are not many people currently on the committee so Nat and Heather were more comfortable bringing the expenses to this board for approval. The committee budgeted for these purchases. Nat showed the purchase orders. Most are for soccer equipment. **Mike moved to authorize Rosemary to purchase the items on the Recreation Committee purchase orders up to \$2250, Nat seconded and the motion was passed.**

Nat said the Rec Committee has \$190 from last fiscal year's archery budget that was intended to buy arrows. Can we earmark that amount from last year's budget? **Nat moved to earmark \$190 left in last year's Rec Committee budget for purchase of arrows in the current fiscal year, Mike seconded and the motion was passed.**

Nat said the Rec Committee is trying to get its numbers up again. They are having an information meeting on July 17 from 6-8 in the library. One person interested in serving on the committee is a Hyde Park resident whose child attends JES. Would they be eligible to serve on the committee? Board members and Brian said they thought that would be okay. Brian said it should be okay unless there is something in the Rec Committee bylaws preventing it but he doubts there is.

**15. *Selectboard Issues/Concerns***

Mike asked Nat if he had met with Scott Meyer. Nat said yes. They just submitted an outline to Brian of letters they want to send to the 3 consultants who sent proposals for the merger study. Brian said he and Meredith will draft something and share it with the board before sending it out. His intention is to send it out next week.

Eric asked if we reappointed Brian to the Transportation Advisory Committee. Brian said no. Nat moved to appoint Brian Story as representative to the Transportation Advisory Committee with Brian Krause as alternate, seconded by Mike. Nat asked if we can take this action if it was not warned in advance. Doug asked if he has to be reappointed to the Brownfields committee. Brian said he will check. Eric said he thinks Nat has a good point. This should be warned. Nat and Mike withdrew the motion.

Lois thanked the selectboard for making sure Holcomb House got cleaned. She said it looks wonderful.

Brian said it took more man-hours than expected to get the air conditioning hooked back up and turned back on in the municipal building. He doesn't know what the additional cost will be.

**16. *Adjourn***

The meeting was adjourned at 9:13.

*Minutes submitted by Donna Griffiths*