

ANNUAL TOWN MEETING MINUTES

March 6, 2018

Moderator David Williams called the meeting to order at 9:13 am. He asked non-voters to identify themselves. None responded. He explained the procedures for making motions under Robert's Rules of Order. He read the warning and noted that there was a handout on the proposed Jewett property purchase available at the Planning Commission table.

Article 5. To review the reports of the town officers and others as included in the Town Annual Report.

Eric Osgood said this year the town report is dedicated to two people. The first is Steve Smith, who served his country, served on the fire department and served as a town highway employee for over 30 years. He was highway foreman for a number of those years. Eric presented Steve with a signed copy of the town report. The second dedication is to Rose Warner, who served almost 30 years as a lister for Johnson. As she was in Florida, Jan Perkins accepted a signed copy of the report on her behalf.

Eric invited general questions about the report, not related to budget.

Walter Pomroy thanked the selectboard, the emergency coordinator, employees and fire department members for the tremendous time and effort they put in during the recent flooding events. He asked for a round of applause for them.

Walter said his tax payment is going up twenty cents. That is a car payment. The increase in taxes for all homesteads adds up to \$224K. He felt he needed to figure out what was going on to cause the increase. One factor is that school taxes are increasing because the Common Level of Appraisal (CLA) changed. It has changed from 106 to 107 to 105 and now it has dropped to 99. What that means is that his building which is on the grand list for \$187K jumped in value by \$10K because a statistician said it increased in value. He has a hard time accepting that fact. That cost him close to \$140K. He felt he needed to understand so he dug into it. He sent an email to our assessor asking for an explanation but got an answer that was just political. He sent another asking his questions again and he is still waiting for an answer. He talked to a lister in another town who told him his questions were really good questions and deserve further research. School taxes are going up almost 8 cents because of the change in CLA. Town taxes and payments to the sheriff's department, NEMS, and the county are all based on the grand list. We are paying a lot because of the change in CLA. He will admit that we are probably going in the right direction with the change but no one can explain the drastic change in one year to him. All citizens in this town will send close to \$80K out of our community because of this change. What happened that no one noticed or addressed the change? We had a 30 day period to appeal but it is too late now. He hopes the selectboard can address his concerns.

Eric said basically CLA is dictated to us from the state. Ideally we want it to be at 100%, meaning that we are assessing properties at what they are selling for. When we were above 100% that meant our assessed values were higher than selling prices. That happened as a result of the 2007-08 recession. When CLA gets down to 80% the state forces a townwide reappraisal. CLA

tries to equalize the burden of state property tax so in all towns people with homes of the same value are paying the same tax amount. It is not perfect but he is not really able to explain it. It is dictated by the state.

Walter said he disagrees with some of what Eric just said. The state gives us a number based on data we have given them and we have the ability to go to the state and explain extraordinary transactions, ask about calculations, and appeal the number. There was a drastic change and some obvious big items that Walter feels should have been addressed or at least researched. It appears to him that an appeal didn't happen. He wants to make sure this doesn't happen again next year. We had the ability to affect the state's numbers and it appears we dropped the ball.

A voter asked who the lister is. Brian Story said we contract with NEMRC. We are regularly served by Robin Chapman. She is here one day a week. She is working for other towns other days of the week.

Casey Romero said she really enjoyed reading the town report because she saw how the board is taking steps to invest in the future in Johnson. One small thing that was not in the report that is worth mentioning is the creation of a part-time recreation coordinator position. She feels that is an important small first step toward managing recreation better. It is important for our whole population.

Article 6. To establish the rates of compensation for the Town Officers.

Duncan Hastings moved to make compensation the same as last year: \$1200 for the selectboard chair and \$1000 for the other selectboard members. Dean West seconded and the motion was passed by a voice vote.

Article 7. Shall the Town vote to adopt the proposed budget for the Fiscal Year 2018-2019 (July 1, 2018 – June 30, 2019) in the amount of \$2,644,835.07 with a portion thereof in the amount of \$1,646,492.24 to be raised by taxes?

Steve Reber moved to approve the budget as presented in the town report and the motion was seconded.

Eric said when we are building this budget we have many drafts and spend a couple of months making adjustments in spreadsheets. Unfortunately sometimes a few mistakes get printed. The bottom line and amount to be raised by taxes stay the same as in the printed report but there needs to be some movement of money. On p. 15, line 62, the subtotal for Other Revenue was printed as \$171,120 but should be \$159,383. Because of that, Total Revenue (less property tax) on line 107 should be reduced by the same amount, almost \$12K.

The amount in line 109 (loan principal on the Holcomb House), was not added into the amount needed to be raised by taxes, leading to a shortfall of \$38,025. So the amount of cash on hand transferred to reduce taxes, shown on line 108, will go from \$100K to \$138,025. The total amount to be raised by taxes stays the same and total revenue stays the same.

Eric pointed out line 232, the subtotal for Public Safety Expense. We have little influence on that. It is about 27% of our budget and an increase of about 2 cents on the tax rate. Line 364 shows our highway expenses. That is about 42% of our budget. Any increase to the highway budget leads to a substantial increase in the overall budget. The highway increase is about half a cent on the tax rate.

On p. 17, lines 9 and 10 have been combined into a new line, 11, as the only place to show property tax interest, to clean up the report.

Line 45 on p. 18 has a mistake. The amount to be pulled in from the highway reserve fund was printed as a number from an early draft instead of using the correct number, which is \$83,933. That means the amount coming in from the reserve fund is about \$11K less than what is shown.

In line 109 on p. 19, the amount of cash on hand we are proposing to move over to reduce taxes goes from \$100K to \$138,025. Total revenues match our budget number.

Eric reviewed the expense budget. He pointed out line 117 on p. 19, Office Admin. Salaries. He said employees have always received their pay raises on July 1 but their healthcare premium changes take effect on January 1. They asked that the two things be lined up. The board has been asking them to pay a higher share of their premiums. The budget includes a 2.5% raise for all employees starting July 1, 2018 and enough to cover a 3% raise starting January 1, 2019. That doesn't mean employees will get a 3% raise on January 1. The pay raise will be whatever the board decides along with the village trustee board. Normally the two boards meet to make the decision because they have some shared employees. Usually the raise is whatever the cost of living increase is. Whatever raise office employees get is matched for the highway department.

On p. 21, line 166 (interest on the loan for the Holcomb House), only captured half of the amount that should have been shown. It should have been \$144 rather than \$72. We won't adjust the budget number but we know there will be a bit of a shortfall as we will spend more than \$72.

Public Safety Expense is shown on p. 22. NEMS has had a fairly significant increase this year, about one cent on our tax rate. Most of that has to do with Medicaid reimbursement they are getting from the state declining while their costs are increasing. Line 230 is Law Enforcement. Our patrol budget has gone up just under a cent. That is mostly driven by salaries. LCSD must stay competitive with other police departments or we will have the problem we had a few years ago – we paid to have people trained and then they moved to jobs in other police departments.

Line 303 on p. 24 (Highway Salaries) reflects the 2.5% pay increase on July 1 and the 3% budgeted for next January 1 as well as including a fifth employee. Line 326 (Gravel/Stone) and line 338 (Winter Sand), show some increases. The thought is that we will purchase more gravel and sand because end of life is coming up on our gravel pit. We will ease off on how much we are taking out of the pit so if we had a major event and needed gravel and sand we would have some in reserve and would not have to purchase it all. On p. 26, line 365 (Highway) shows an increase equivalent to about half a cent on the tax rate.

The total budget number is \$2,644,835.

On p. 27, line 431 shows \$100K from cash on hand as of June 30 being used to reduce taxes. The board is actually proposing to apply \$138,025 to reduce taxes in order to maintain the tax rate that was printed. The board proposes to put the remaining cash on hand, estimated to be about \$13K, into the tax anticipation reserve fund. What we spent on the ice jam wiped out the emergency management fund and probably the \$13K will be wiped out as well. The town has a tax anticipation fund to maintain cash flow and the ability to pay bills due in the first quarter, before property taxes have come in.

The section starting with line 449 shows all the reserve fund balances. Line 450 is the reappraisal fund. Since we have hired an assessor and they are doing a rolling reappraisal which will be completed every 4 years, the thought is that we will never have to do a townwide reappraisal again. We had a reserve fund so money to cover the \$100K cost of a townwide reappraisal would be available when needed, but we don't feel we will need to do it, so we are pulling it down by about \$20K a year and using that money to offset the cost of the assessor.

We anticipate that the Emergency Management Reserve Fund is wiped out.

The estimated impact on taxes is shown starting with line 464 on p. 28. Our tax rate is going up a little over 2 cents.

There will be an increase in the contribution to the capital equipment fund to cover trading tandem trucks in at 8-year rather than 12-year intervals. The first tandem truck to be replaced is approaching 12 years. For the last 3 years maintenance costs have been about the same as payments on a truck. It is not holding up as well as we thought it would. It is appearing that we won't be able to go to 12 years with these trucks. The second one is a couple of years behind that one. The thought was to wait and see if the oldest was a lemon and the next one could actually last 12 years. But unfortunately maintenance and repair costs for the second truck are going up. A VLCT survey of other communities shows that communities tend to fall into 3 groups – those that replace trucks after their warranty expires at about 5 years, those that replace after about 8 years and those that drive trucks until there is nothing left. We have always tried to get the best bang for the buck and it is looking that probably means replacing at about the 8 year mark. We probably will be on an 8-year cycle in future budgets.

Duncan Hastings said he wanted to give a nod to the selectboard for the work they do on the budget every year. For 15 years he worked for the town and the village. When he looked at the town report he saw a number of the issues Eric just addressed. He called up Eric, who not only had thought of all of them but had answers for them. That is pretty exceptional. Eric goes over the budget with a fine toothed comb and knows it inside and out. The town is very well served by our board.

Walter said he realizes there were exceptional events related to the flood. Do we need to replenish our emergency reserve? How much was spent? Eric said the town hasn't yet received the large bill from Tatro. He estimates it will be in the \$30K range. We had about \$20K in the emergency reserve fund and an estimated \$13K cash on hand.

Walter said this budget has another \$7K in it for the emergency reserve fund. Is the board looking to put the \$13K cash on hand into the emergency reserve? Eric said originally the board

anticipated putting the \$13K into the tax anticipation fund. Tatro was hired after this report had gone to the printers.

Walter asked if it is safe for us to assume we should have \$30K in the emergency reserve fund for next year, not \$20K. Eric said he thinks the intent will probably be to build the emergency fund back up.

Walter said he thinks it is probably better to build it up faster rather than slower. He plans to suggest a reduction to the budget, but he is not going to reduce it by as much as he had originally intended because he hopes the board will build up the emergency reserve fund. He feels the tax increase is unaffordable. What is affordable? He looked at the guidance the governor gave the legislature on what he would accept for a budget. The governor said the budget cannot increase by more than 2.36%, which is the average growth of salaries in Vermont over the last 6 years. State income taxes are the main source of income for the state. Walter tried to apply the same logic at the town level. The town raises its money by property taxes. They are based on the grand list. He calculated the growth in our grand list over the last 6 years. It was only 0.32%. He doesn't want to cut the budget by that much. If he applies the increase in the Consumer Price Index over the last 6 years to the amount raised by taxes, then the amount to be raised by taxes goes down by \$39,856. He will keep it simple and say \$40K. And he will make it \$30K instead, hoping the board uses \$10K to replenish the emergency reserve fund.

Walter moved to amend the motion to change the total budget amount to \$2,614,835 and to change the amount to be raised by taxes to \$1,616,492. Scott Meyer seconded.

A voter asked what Walter would like to see cut from the budget for that reduction. Walter said he will not make a specific proposal. He will leave it up to the selectboard's discretion. He thinks it is not an unreasonable number. He doesn't think we have heard the word "no" enough. He will let the board set priorities. They will probably engage the community. We have to start saying no.

A voter said she is not against fiscal responsibility. This is the best place to give the selectboard an idea where we want the money cut from. She would recommend we offer guidance if we are going to go this way. If we don't do it here we might not like what they decide to do. She thinks we should amend the amendment to specify where we want money removed from.

Jinny Bogny-LeMay asked, if the budget figure were to be changed, wouldn't there have to be a special meeting for the new budget to be approved? Eric said this meeting can lower the budget.

Scott Meyer said he respectfully disagrees with the idea of the population trying to come up with cuts. The selectboard understands the budget best. He would prefer them to do it.

Greg Stefanski said he thinks it would be helpful to hear from the selectboard about areas they might consider for reductions.

Eric said public safety increases the tax rate by about 2 cents. That is out of our control. Another big item we can control is the highway department. The office is a much smaller part of the budget and there is not room for significant cuts there. The board would probably have to really

look at whether to add a fifth employee. The board knew the day was coming when we would need to hire a fifth employee. We have been hiring part-time help. With the new stormwater runoff requirements and the resulting work that will need to be done in summertime the board felt we really needed to add a fifth employee. Deciding not to add that fifth person would be a hard choice. Highway department employees are dedicated and loyal. In the winter they forego vacations and make themselves always available to be called to plow and sand and take care of the highways. That means they save their vacation time for summer. We are struggling to do projects we want to do to maintain highways. We were hoping that adding a fifth employee would relieve pressure and let us do work to comply with stormwater runoff requirements. But that is probably where we would have to look to reduce the budget.

Offie Wortham asked for an estimate of how much it cost last year for part-time employees and how much it would cost next year. Eric said the board's thought was that some of the additional cost for a fifth employee would be offset by using part-time help less. He can't say we wouldn't use it at all. He will look up the cost figure.

Sue Lovering said self employed people don't get vacation, yearly raises, or retirement. They pay for their own health insurance. Their taxes go up every year. The real world is not as rosy for everyone as it is for town employees. She wants to remind the selectboard that self employed people pay taxes and don't get the things a lot of employees get.

Brian Story said last year we spent about \$11K on part-time seasonal help and with a fifth employee we were planning to spend a little less than \$4K.

A voter asked the projected cost, including benefits, for a fifth employee. Brian said including benefits and cost savings due to reducing the need for part-time help, the estimated cost is \$42,859.30.

Kim Dunkley said she agrees with Sue Lovering. She wonders if the town can use grants, volunteers or partnerships to replace the money cut so we can reduce the amount we have to raise rather than cut the amount spent. Some of us don't get raises.

Scott Meyer moved to call the question and the motion was seconded. The motion was passed with a 2/3 majority by a standing vote.

Duncan asked for clarification on the dollar amount of the reduction Walter proposes. David Williams said the motion is to reduce the total budget from \$2,644,835 to \$2,614,835 and to reduce the amount to be raised by taxes from \$1,646,492 to \$1,616,492.

A voter asked how that changes the tax rate. Walter, noting that the question had been called, said he had calculated that a \$40K reduction would make the tax rate 75 cents. With a \$30K reduction the tax rate would be a little higher, probably 75.5 cents.

The amendment was passed by a standing vote.

A voter asked, if we just decided to reduce our budget by \$30K and we have used up our emergency fund, how long will it take to replenish the fund? Are there any concerns about that?

Eric said the board does not anticipate having any significant money left over at the end of this year. A year from now we probably will have estimated cash on hand and may decide to apply some to replenish the emergency management fund. He would guess that would be the case. It is hard to guess now how much we would put in. He thinks it would be the desire of the future board to replenish it as soon as possible.

A voter asked, wasn't there something written about possibly getting reimbursement funds for flooding expenses? Eric said there isn't reimbursement money available for what we spent. There would be an opportunity for funds from FEMA if the state declared a disaster but the amount of damage from the event didn't make the one million dollar number. So there isn't money available to replenish the fund.

Duncan said with regard to earlier comments about self employed people who may not get all the benefits of town employees, he gets it, but the reality is that when you go out to hire employees you are competing in a marketplace. That marketplace includes benefits. We will be going out to that marketplace soon to replace a highway employee who is retiring. To attract good, qualified candidates we have to pay the prevailing rate. We have to compare our benefits to other communities. We have been fortunate to have long term highway employees without much turnover. Our employees have been very dedicated. If we nickel and dime we will get unqualified people or people who leave at the earliest opportunity. He feels investment in our employees is worth it. It is the cost of doing business.

Walter said he did a lot of 6-year calculations. Here is another. Our tax rate over the last 6 years increased by an average of about 4.78% per year. That is not long term affordability. We want economic development. We want to encourage families and businesses to move to Johnson. If we told them our tax rates were increasing close to 5% a year he thinks they would look at those numbers when deciding where to move and set up businesses. He is thinking about helping Johnson grow, and having a tax rate that is not competitive is not in our best long term interests. We need to rein increases in to the level of inflation so people can afford it.

A voter asked about delinquent taxes. The amount delinquent is a lot of money. What is done to get it? Eric said the town has a tax sale annually. One of the issues we face is we have quite a few mobile homes. Typically their value is not much and no one bids on them. That is part of the problem. A lot of delinquent taxes do come in at the last minute. If a property of value goes up for tax sale we get bidders and recover the loss. Addressing Walter's point about tax rate increases over 6 years, he knows that since the 2007-08 recession growth in the community, the state and the country is not where it used to be. Before that, historically the grand list would rise by about the same amount as the inflation rate. He can't say what it will be this year. A couple of properties have had taxes abated. That will impact the grand list. But the Maplefields expansion will increase the grand list because a larger building replaced what was there. He thinks it will come out to the good. He can understand and sympathize about tax increases, but voters should be aware that where the motion is trying to make an impact is on the town tax, which is just a quarter of taxes. Three quarters is the school tax.

David Williams asked once more for those who were not voters to identify themselves. Five people raised their hands. **The amended motion passed by a standing vote.**

Article 8. Shall the Town vote to collect property taxes to the Town Treasurer in four equal installments (32 V.S.A. § 4792), as listed below; with delinquent taxes and assessments have charged against them an eight percent (8%) commission after the fourth installment (32 V.S.A. § 1674) and interest charges of one percent (1%) per month or fraction thereof, for the first three months; and thereafter, one and one half percent (1 ½%) per month or fraction thereof from the due date of such tax? Such interest shall be imposed on a fraction of a month as if it were an entire month (32 V.S.A. § 5136). Payments are due in the hands of the Treasurer by 4:00 p.m. on the below due dates.

First installment to be paid on or before Friday, August 10, 2018

Second installment to be paid on or before Monday, November 12, 2018

Third installment to be paid on or before Monday, February 11, 2019

Fourth installment to be paid on or before Friday, May 10, 2019

Howard Romero moved the article as printed and the motion was seconded.

Eric said we have been advised we should have this in the warning every year. This is current practice, so there would be no change.

Duncan asked, if these procedures are what statute requires and are current practice, why does this need to be in the articles every year? Why not only have an article if there is a proposed change? Eric said VLCT recommends having an article every year and Rosemary Audibert believes it is in statute that it should come before the voters annually.

A voter asked if anyone aggressively goes after delinquent taxes. Eric said he believes we do. Rosemary, the tax collector, negotiates with those who are behind on taxes. By the time we get to the tax sale the amount delinquent is probably down to about \$150K from what could be \$400K. We take the delinquent properties to our tax attorney and put them up for tax sale.

The voters said even if the amount unpaid is only \$100K that would impact our budget. Eric agreed. He said the town does actively go after delinquent taxes every year.

The motion was passed by a voice vote.

Article 9. Shall the Town establish a Conservation Reserve Fund to be used for preservation of lands with ecological, cultural, or recreational significance in Johnson in accordance with 24 V.S.A. § 2804; to be funded annually by budget line item?

Lois Frey moved the article as printed and the motion was seconded.

Lois said she is chair of the Conservation Commission. The Conservation Commission has looked into having a conservation reserve fund for the last couple of years. It would be a way for the town to have money available that is not necessarily tax dollars. The Conservation Commission is not specifically asking for tax dollars now. They are looking to have a fund to

help us preserve what we have and not take away from anything else in town. We were able to acquire the Journey's End and Beard Recreation areas because the Conservation Commission helped with fund raising. The conservation fund will supplement opportunities for projects that will help us preserve natural resources. Conservation projects could include trail building, for instance at the Gomo Town Forest. There is a lot of opportunity to do work there but we don't have the money. We might be able to get a grant. There are areas where we need to be thinking about purchasing wildlife connectivity parcels. And there is the possibility of people giving donations and making bequests. Each time that happens the money can stay in the conservation reserve fund. It will build up and then when the community wants to do something conservation related the Conservation Commission will take it to the selectboard and they will make the decision.

Jeff Corey said he wonders how much money the Conservation Commission will be looking for in the future. Can it always come just from donations or is there the possibility of the Conservation Commission going to the town for tax money? Lois said that is always a possibility. There might be left over Conservation Commission money that could go into the fund. Or some towns have a contribution equivalent to something like a quarter of a cent. They are not looking for that at this point. They want to get a fund established as a place for money to go.

Jeff asked if the Conservation Commission has any idea how much they would like to have in the fund in the future. Are we talking about buying acreage? Lois said we could if we had money. They are not specifying a dollar amount. They are looking for a place to put money, for instance if someone wants to leave some money to the town. They might put a bequest in their will or make a donation for money to be used for conservation, not to go into the town budget. But the selectboard does make the final decision about spending money.

Sue Lovering said it is important to the Conservation Commission and to the Tree Board that we keep the character of this small Vermont town. Johnson has some unique natural resources. It is historically and culturally a special place. There is a lot of opportunity for recreational development. We need to keep our natural beauty and keep our wildlife pristine. Journey's End is not just a recreation area. It has a pristine trout stream. We want to keep wild places and connectivity preserved for wildlife. This fund would be a place for donations and grant funds that are not funded by taxpayers and are earmarked for what the Conservation Committee wants them to go to.

Eric said this was not a selectboard initiative. It was brought by the Conservation Commission. But they made good arguments for it to the board. In the past the board has heard reservations about establishing more reserve funds. An argument Lois brought up is that if someone wants to donate money and wants it to go to the Conservation Commission they would be hesitant to have it go into the general fund of the town because it could be spent on other things. If it is in the conservation reserve fund it can only be used for what they decide it can be used for. It is a good way for the Conservation Commission to raise money without coming to the taxpayers. The money stays dedicated for conservation purposes.

David Williams asked for a break in the discussion in order to give legislators who had arrived an opportunity to answer questions. Senator Rich Westman, Representative Dan Noyes and Representative Matt Hill came forward.

Matt Hill said he is on the Commerce and Economic Development Committee. A new education plan proposal just came out of the House Ways and Means Committee and was put in the Education Committee. The proposal tries to diversify the education funding system, so funding comes from income tax and other funds, not just property taxes. On his committee they have created a homeowners' tax break for doing renovations to an old home. The House has been trying to focus on middle income citizens.

Dan Noyes said he is on the House Committee on Human Services. They worked this year on making sure people have access to food through the SNAP program, they updated lead paint rules, and they changed rules on foster parents. One thing he is working on is inspection stickers. He is trying to figure out how to deal with the fact that inspection keeps costing more and cars with check engine lights can't pass. He also started a caucus to talk about issues that affect older Vermonters.

Rich Westman said he is on the Appropriations Committee. The state general fund budget is about \$1.6 billion. When federal matches and transportation are included we spend about \$5 billion and with all that is spent for retirement, etc., we spend about \$7 billion. The general fund budget is where most of the pressure is now. Administration presented a budget with no new taxes or fees. Growth in spending has been about 2.7% in the last 5 years. We have had to accommodate the fact that for a number of years the state didn't make all the contributions it should have made to our retirement funds. That has come back to roost. The retirement line item has grown and puts tremendous pressure on other programs when there is no new revenue. That is what is making budgets tight this year.

Walter Pomroy said he has been talking all morning about property taxes. The state has asked us to merge our school districts. We did it. The state asked us to cut our budgets. LNMUUSD's budget increased by 0.59%. Spending per equalized pupil is up 1.16%. We have done what was asked. But statewide changes are increasing our tax rate by almost ten cents. He has read the latest education funding proposal. It is not going to do the job. Shifting funding to income tax will probably exacerbate the problem. Schools will be able to jack up their expenses and say they are not impacting the tax rate. There is nothing about cost containment in the proposal. We need to say no. Our tax rate is going up 17 cents. Ten cents of that is coming from the state. The legislature needs to say no. It needs to say H.911 will not do the job. We need to rein in school budgets throughout the state. We are doing our job but we are feeling the pain because others are not. Our representatives need to protect us.

Rich Westman said H.911 is in House Ways and Means. The Senate hasn't seen it. The tax increase is an estimate. School budgets all around the state are coming in below what had been estimated. So the tax rate may end up being a lower number. He thinks what we are seeing in Ways and Means is recognition that there are things about the present formula that are not working. It has been in place for 2 decades. People are taking a serious look at its flaws. There is a disconnect between local budgets and the tax rate. As

long as we have that it is unfair to communities. Communities that are holding spending down are thrown into the mix with everyone else because there is a statewide tax rate. One tenet he is looking at is that there has to be a connection between what your property taxes are and what your spending is. He would also say income is not the only measure of wealth. When we throw a significant part of this onto income he thinks we put young people at a disadvantage. A young couple has a lot of spending on debt, child care, and cars even without food and housing. We have to be careful about putting it all on income.

Rep. Noyes said he brought up the point about shifting the burden to people who may be paying off loans to the committee chair and she said she would get back to him on it. H.911 was talking about the revenue side. He introduced a bill about consolidating supervisory unions from 59 to 17 – one for each tech center and one for children in state custody – to bring in cost containment.

Rep. Hill said what H.911 does is change the way we fund the education system but not how much money we spend in the education system. The governor has asked school boards to look at their staffing. The bill does not address that, which is what he and Rep. Noyes are trying to do.

A voter asked if something can be done to give senior citizens some relief.

Rep. Hill said millennials are also one of our largest population groups. There is a proposed reduction in social security taxation. There is also a proposed homeowner's tax credit for rehabilitating a house to make it more efficient and increase its value, so the owners can stay in the home longer.

Sen. Westman said he thinks one of the biggest things affecting seniors is whether they are healthy or not. We have a pretty good health system. But how do we maintain that with the resources out there? There is a proposal moving out of the House Ways and Means Committee to reduce social security taxation. We have to struggle with maintaining programs with less revenue.

Rep. Noyes said he started an older Vermonters caucus to bring issues affecting older Vermonters to the forefront and get people talking about them.

Linda Hill asked if there is a daycare provider caucus. The legislators said no. Linda said she is involved with daycare. They have a hard time finding and keeping help with the current regulations, which seem over and above common sense. Daycare workers have to have schooling now. A grandmother who has raised children cannot work in a daycare because she doesn't have all the required schooling. Some college kids have tried to work there but they don't even have the right schooling. People can't afford to get the required schooling and daycares can't afford to pay the people with education what they think they should be paid.

Sen. Westman said he spends at least a third of his time talking about childcare issues with the legislature. His committee is broken up into areas of interest and he spends lot of time focusing on childcare. The subsidy rate for childcare has stayed about the same for

the last 5 years. Childcare is very expensive. We have about 6000 births a year in Vermont and we only have childcare placements for about 47% of the babies born. If a single mother making about \$20K a year gets the full childcare subsidy the state provides, only 14% of childcare providers will take that subsidy and not ask for more money. One of the biggest problems he had with the idea of increasing minimum wage to \$15/hr is that the average rate for childcare providers is \$12.06. If there is a minimum wage increase of 50 cents with no increase in childcare subsidies, the average single working mother would make \$1100 more and lose \$1300. Childcare is a huge deal. If we are trying to keep young families here we need to pay more attention to it and do a better job.

Rep. Noyes said Human Services is a policy committee. They tell the Appropriations Committee what their priorities are. They have had some discussion about making sure there are scholarships for people who want to take childcare classes to offset the costs. There is a bill they might take up about changing regulations for people who work in childcare centers.

A voter asked about the issue of VSAC portability. She said nationally all state assistance programs combined allow about \$11 million to support students in out of state institutions. Vermont is a very small state but it allows VSAC to send \$5 million of that national total. That is \$5 million in taxpayer dollars that travel out of state and are not reciprocated. She would love to hear insights on VSAC portability. It is a very important issue. We shouldn't send Vermont money out of state when few other states allow their assistance to come to Vermont and we are contributing nearly 50% of the outflow.

Rep. Noyes said his daughter went to school out of state for 2 years and VSAC helped his family pay for it. He understands the concern but it was a real benefit for his daughter.

Sen. Westman said his full time job is working at VSAC. He oversees a college savings fund that is not related to state appropriations. We have declining enrollments and a smaller population of college age people. To keep places like Northern Vermont University open we have to draw students from out of state. There is a conflict if we are trying to put walls around our own students. We are a small state. We don't have all programs here. If there is no program here, are we going to tell kids they can't go out of state? There are two programs in the country that combine business and automotive training. Two students from our tech center are attending one of those programs in Ohio. We want to be careful about putting walls around ourselves when we need to draw from out of state. In last year's budget, when state colleges came looking for \$4.6 million, he and Senator Kitchel were the lead people on getting more money into state colleges in order to keep the college open here. He is a huge supporter of college education. He thinks the issue of portability is really a side issue. There are a lot of other issues to consider.

Rep. Hill said portability relates to the fact that we don't fund our colleges well in this state. We have an issue where students can't find programs in Vermont. If we put some investment into our state college system so colleges can provide more programs he thinks that would kill two birds with one stone.

The legislators left and the discussion on the conservation fund motion resumed.

It was moved and seconded to call the question and the motion was passed by a voice vote.

The motion was passed by a voice vote.

Article 10. Shall the Town vote to authorize the purchase of parcel identification #600-228 (commonly known as the Jewett property, located on Route 15 on the western edge of the Village of Johnson) for the amount of \$225,000.00 to be financed over a period of five years?

Casey Romero moved the article as printed and the motion was seconded.

Eric said the selectboard is asking voters to invest in the future. If we take the Jewett property off the tax rolls we will lose \$2500 a year in tax revenue. If we develop it and an enterprise the size of Parker & Stearns moves in we would realize about \$15K in tax revenue. That is close to one cent on the tax rate. There is flexibility on how this parcel is divided up. One proposal is to divide it into 6 parcels. Each of those parcels would generate about \$3500 a year in taxes - \$26K for all 6 of them. That is one cent on the tax rate. We have an opportunity to increase our grand list, which affects what people pay in taxes. The town will have to purchase the property but would be eligible for grant funds to cover a lot of development costs. The selectboard does not see a big burden on taxpayers to develop the property.

Who would we put on the property? There is a chicken and egg problem. We can't get people to move here if we don't have a place for them. Many years ago when Dave Marvin was looking to grow his business he would have liked to stay in Johnson if we had had space for him, but he moved to Morrisville. When Matt Nadeau had his brewery in his basement he came to Johnson and said he would like to stay but we didn't have an appropriate property so he moved to Morrisville. When he was looking to expand he checked to see if we had anything he could use, but we didn't. The National Guard came to Johnson to see if we had a place for a maintenance facility. We didn't and they went to North Hyde Park. If we have nothing we will get nothing. This location is mostly within the village. It has access to water, sewer, and power lines. This is a rare opportunity. There isn't another place like it in Johnson. The town has been looking at it for quite a few years. Other things, like Sterling Market, have been the focus but now it is time to bring this potential purchase to the voters.

Duncan Hastings said he fully supports the article but he thinks an amendment is appropriate. It is his understanding that the purchase and sales agreement is written such that there will be a \$50K down payment and \$175K financed. **Duncan Hastings moved and Linda Hill seconded to amend the motion to read "for the amount of \$225,000 with \$175,000 to be financed at 2% over five years and a \$50,000 down payment."**

Jeff Corey asked if the town will own the property and rent out parcels or if the town might sell it all. Eric said the intent would be not to rent but to sell off individual parcels or sell the whole thing to a larger enterprise.

Carl Powden said he thinks this property is listed at just under \$112K on the grand list. He wonders how the price got this high. Eric said the proposed purchase price came from the appraised value. The town hired an appraiser to look at the value and that is why the Jewetts came down to the appraised value. Carl said so we severely undervalued it. Eric said maybe.

The amendment passed by a voice vote.

A voter asked if it would be appropriate to ask now for a paper ballot. David Williams said he will come back to that after there is more discussion.

Greg Stefanski asked if anyone can speak about who will do the work of developing the property, in light of concerns that followup of initiatives is sometimes a challenge. Brian Story said that will be up to him. He will seek assistance from LEDC and John Mandeville to complete this and negotiate with partners. He has received great assistance from John Mandeville so far. He expects to be well supported.

Walter Pomroy said he wants to voice his support. Over 6 years our grand list grew 0.32%. If it continues to grow at that rate he will keep asking to cut the tax rate. In this day and age we have to be looking to move forward or we will go backwards. Parts of the state are slowly dying. What we have is wonderful but we always need to be trying to reinvent ourselves. The town is trying to proceed to offer an attractive package for companies to come here to help our tax rate and offer good paying jobs so we can live and work in our community vs. driving on a long commute. If we are not trying do something proactive we will go backwards. He commends the selectboard for being proactive.

A voter asked, if we purchase the property and divide it into parcels how much would we look to get per parcel? Eric said that would depend on what size parcel the purchaser needs. Our thought is to provide an access road and put power and water lines up the main trunk. Whatever that costs would determine the cost of a parcel. Brian Story said he doesn't have a specific dollar amount per parcel but we would be looking just to recover our investment. If a purchaser got 15% of the acreage they would pay back 15% of our cost. We are not looking to make money but to provide an opportunity for growth and development.

A voter asked if we have any parties interested and if not who will recruit them. Eric said we have had missed opportunities in the past. We haven't had anything to offer so it has been hard to get people interested.

Will Jennison said the town's history is not good when it comes to buying property and then selling it, as was planned with the property on Lendway Lane. The idea was to sell part of that property. Eric said Will is correct about the intent for the Tatro property. It was proposed to voters that the town buy the whole property, carve out what we needed and sell the rest. That was the selectboard's intent. But the board came back to the voters with the intent to sell the rest of the property and the voters turned it down.

Will asked, was the Jewett property not for sale when local businesses were looking for a place? Eric said at first it was not. The second time Matt Nadeau was looking for a place the town was in the process of looking at the property. But businesses want to move quickly and our process

takes a lot of time, with seeking voter approval and grants to develop the property. Will asked, so the town prevented Matt Nadeau from buying the property? Eric said no, he could have bought it.

Will asked why he didn't buy it if it is so great. Why does it make sense for government to get involved? Eric said we did approach some developers about taking this whole project on. The main issue is the profit margin. They are not interested because they want to make money. We don't want to make money, just secure a good tax base for the community. If we have zero profit or even lose a little, we will profit in the long run in taxes.

Will said we are not only talking about the purchase price but about the cost for work to be done to bring infrastructure to the property. There has been no mention of that cost. The voters will have no choice but to approve that expenditure later. Has any thought been given to whether the town will demand that taxpayers pay to get the first property sold? Eric said we are eligible for grant funding. There may be some in kind contribution, which can come in the form of Brian's time. So there probably won't be a request to spend tax dollars.

Will asked if the grants are available right now, or if the town is just hoping to come across grant opportunities. It seems like the government is cutting back on grants.

Dave Williams suggested a recess until 1:15. He said this question can be answered when the meeting resumes. The meeting was recessed for lunch at 11:56. David Williams called the meeting back to order at 1:15.

Brian Story said he recalled that Will had asked him to identify some particular grants and programs we are going to go after to fund infrastructure development. Will said his question was whether the town has a grant it can go after tomorrow. Brian said not tomorrow. The two opportunities he will go for first are New Markets Tax Credits and Northern Borders Regional Grants.

Will said the tax rate did not include this property, so the tax rate will go up, correct? Brian said yes. Will said our tax rate will go up because of this purchase. Eric agreed.

Will said his understanding is that the last estimate the town got for the cost of bringing in infrastructure was around \$900K. In today's money it is probably more like a million dollars. Is that correct? Eric said the original assessment was for developing infrastructure into each parcel and we probably wouldn't do that. Doug Molde said we hired Ruggiano Engineering. In 2016 they did an estimate of project costs for infrastructure. The new figure is around \$1,300,000, but in his opinion that money is going to come from grants. His take is that we are buying something that costs about what a residence in Johnson costs. It will have a long gestation period. Development will be staged according to grant money that is available. The money to develop it will come from grants and the purchase price will be our primary funding. With regard to development we found that we really need to own it and then we can go talk to development partners. We know this particular piece of land has infrastructure availability that no other parcel in Lamoille County has. But we don't know who will come. We paid for a feasibility study. Yellow Wood said the primary areas most likely to have demand are agribusiness, food processing and energy and development services. We believe if we don't develop the property it

could be used for something that costs a lot in services vs. something that generates high tax revenue.

Will said he hears a lot of “we believe,” “we think,” “we can apply for.” He doesn’t think it is good business to buy the property when we only think we will get a grant and hope business comes in.

Casey Romero asked if the town could borrow from the loan fund that comes from the money paid back from Sterling Market to get the \$50K down payment. Eric said there is \$250K in the revolving loan fund. The town can loan itself up to 10% of that. We could take some out. We can’t take any out for the purchase but we can take it out for the town match for a grant after we own the property.

Scott Meyer asked who will manage the site. Eric said the overall responsibility will fall on the selectboard. Day to day management will be up to Brian Story but the intent is for the town to sell off the parcels.

Scott asked, have you thought about how much time it will take for the selectboard to facilitate that? Eric said the board hasn’t done a lot of thinking about that. There are a lot of questions we can’t answer until we own the land. Enterprises won’t talk to us because we have nothing to offer. We can only be told that we are conceptually eligible for grants.

Scott said he is on the fence. He is worried about the nuts and bolts. If he wanted to start a business there, who would be responsible for the cost of getting the main lines up to the development? Eric said the intent is that we would develop infrastructure up to the property but not to each individual parcel. That would be the purchaser’s responsibility. Through grant money we would put in infrastructure.

Scott asked, would taxpayers pay for that cost? Eric said no, we would go after grants. If there is an in kind contribution it could be Brian’s time. Typically some match from the town is required and they accept an in kind contribution. How much our contribution is depends on the grant.

Doug said Brian was hired as town administrator and economic development coordinator. Economic development is 50% of his job. This is not taking away from what he was hired to do. It is part of his job.

Scott said if this takes off it would be a great asset to the community. Would there have to be professional oversight, like a project manager? Would there be grants for that? We have done projects in this community before that have had stumbling blocks.

Duncan said he wanted to speak in support of the motion. He is the town’s representative to the Lamoille County Planning Commission. LCPC has in the past gotten involved in projects like this. But he thinks LEDC is a more likely candidate for direct technical assistance. The town has some of its own capacity through Brian to manage projects of this nature. He supports the project because it has been studied for going on 10 years. The town developed detailed engineering plans that are on display around the room. He thinks the plans are well thought out. The market study was done and there is clear evidence that would support feasibility of this project. John

Mandeville of LEDC believes this is one of a few sites, if not the only site, that has the access to key infrastructure that is necessary for a successful industrial park. Is there uncertainty? Yes. Will this get built out overnight? No one believes so. It could take as much as 10 years. He believes what is certain is what Walter said. If we do nothing we will continue to have a residential tax base and residential tax burden and little or no growth in jobs. Growth on the grand list is very important to him and the possibility of having jobs is a pretty powerful argument to him, one we shouldn't ignore. He believes this is a worthwhile project. The loan on the Holcomb House is going to be paid off in December of this year. Going forward, that is money that would be available for taxes to absorb some of the cost of this project.

A voter asked, if the town buys the land, develops and sells it, what say do residents have in who buys the lots and what businesses come into the community? Eric said the selectboard would have the say. The voter asked if he is saying the selectboard, and not residents, will determine who buys the property. Eric said yes, by and large, but there have been areas identified where we would focus. If someone wanted to build a nuclear power plant we probably wouldn't go for that. Probably we will stick with themes of what we need in this area.

Ben Waterman said he is not against the concept. His question is why the Jewett property makes the most sense. It is heavily wooded, prime agricultural land that provides deer overwintering habitat. He doesn't really think of light industrial potential when he thinks of that property. He has a copy of the town appraisal of the property from 2013. The appraiser comments on the feasibility of the project and concludes that due to steep topography and the length of the access road development costs would be more than typical, limiting market appeal of the property. The appraiser comments on the highest and best use of the property and says if it were exposed to the open market for sale a typical buyer would most likely want it for a residential or multiple residential development. So why is this billed as having commercial development potential?

Doug said we had an engineering firm look at the property. We actually put in an Act 250 application and other necessary applications. Because of the deer yard Act 250 would require us to trade some land and we have the Prindle lot that would serve that purpose. He doesn't believe the engineers had trouble with the soils or slope. Affordability would be covered by grants in large part. Housing development is what we are dependent on now. That doesn't create jobs or high tax revenue. The engineering firm looked at feasibility and decided it works well.

Brian said we do think a small home development is the likely use if the property is placed on the open market. That would be easier than anything else to develop. But we feel if it were turned into homes that would give us the least increase in grand list value while costing the most in services, so we don't think that would be the best use. We would like to generate tax revenue and jobs. Why this property? Transportation access is an important factor. A lot on Gould Hill was discussed that might be suitable for a number of other purposes, but the traffic a light industrial park is likely to generate wouldn't be a good fit for the neighborhood there. The same is true of the old Tatro property at the end of Railroad Street. Anyone accessing the property would have to cross the Railroad Street bridge. He doesn't think that neighborhood would be served by the heavy traffic. He thinks there are great opportunities for those properties. This property is a great fit for commercial and industrial development. It has good access to seasonal resorts and Chittenden County. It has good access to the interstate highway through Milton, which most other lots don't have. Being able to go through Milton instead of Stowe reduces

travel time to the interstate. The property has a lot of unique characteristics that other properties in the area don't have. That opinion is backed up by LEDC and the Yellow Wood study.

Ben asked if Brian is disagreeing with the appraiser saying the highest and best use of the property is residential rather than light industrial. Brian said he thinks residential use is the most likely use for that property if it goes on the open market, but he does not think that is the best use for the community.

Jinny Bogny-LeMay asked how much money we have sunk into this project so far for feasibility studies, etc. Eric said that was all grant funded. There may have been some minimal town contribution. There has been a first right of refusal on the property that has cost the town around \$2200 a year.

Jinny asked, if this is such a wonderful property, why has no one else picked it up? Eric said we approached developers about developing it. The reason a developer could not do it is that there is no profit there. If we do it we do not need to profit. We are just looking to break even.

Jinny asked how much of the infrastructure cost will be covered by the grants. She doesn't think it is realistic to think 100% will be covered. Eric said that is probably right. Probably there will be an expectation of an in kind contribution. Jinny said she is talking about actual cash. Eric said he will say half of Brian's salary because half his job is doing projects like this. That is what we pay him for.

Jinny asked what percentage of the infrastructure cost will be covered by grants and in kind contributions. Eric said he would guess we would have to make a 5% in kind contribution, with grants covering the remaining cost. Typically these grants cover the vast majority of the cost and we have an in kind contribution, like our highway department helping to put in a road.

Jinny asked what happens if the town and the village merge. How does that change Brian's job and the amount of time he has available? Eric said that adds many unknowns. Who knows what a merger will require and whether it will go forward?

A voter asked what the soil types are. Is it clay on this property? Brian said he doesn't have the full details but he has heard the claim that it is clay. That isn't borne out by the assessments. We don't believe it's clay.

Peter Moynihan said he is not necessarily in favor or opposed. He appreciates the idea of increasing the grand list. If people buy lots and start businesses, is there a way we can ask them to at least look at Johnson residents first for jobs? It would be nice to make most of the jobs for Johnson residents. Eric said we would have to run it by our attorney. He doesn't think we could do it.

Denise Krause asked if there are criteria in place that would help the selectboard make decisions to ensure the businesses who move into the industrial park would not radically change or damage our lifestyle. Eric said studies have shown that one of the needs in this area is ag/food businesses like Butternut Farms or Rock Art Brewery. There is also a need for green energy businesses marketing solar panels, etc. He thinks those are areas where we would be focusing. Denise

asked, can we rest assured that the selectboard would not be tempted into letting an environmentally risky company move in? Eric said the town can trust the selectboard to use due diligence in looking at it.

Peter Moynihan asked, wouldn't Act 250 regulations give the public a right to comment? Eric said yes.

It was moved and seconded to call the question and the motion was passed by a voice vote.

In response to the earlier request for paper ballot voting, David Williams asked how many people wanted paper ballots. At least 7 people raised their hands.

Voting was by paper ballot. Out of 106 ballots cast, 77 were in favor and 28 were opposed. The motion was passed.

Article 11. Shall the Town of Johnson commission a study by an independent consultant to establish fiscal benefits and costs of merging the Town and the Village of Johnson into one municipality?

Howard Romero moved the article as printed and the motion was seconded.

Eric said this article came to the selectboard by petition. The selectboard has endorsed the article. That doesn't mean they endorse a merger. They endorse getting a consultant to look at the pros and cons. They want to be at the table if there is any talk of merging. Eric always thought a vote of the town and a vote of the village would be required to approve merging. But in Waterbury the village just voted on its own to dissolve. A town vote was not required. He doesn't think that would be a good position for the town to be in. The selectboard wants to look into it and see if it makes sense and be at the table with the village.

Lea Kilvadyova said she is a resident of Johnson village and a voter in the town and the village. What we are looking for is a study to determine potential benefits of a merger. If we are talking about decreasing taxes and securing economic stability we would be remiss if we did not explore achieving that through having one governing board. She thinks this is a subject people have strong opinions about. Some feel things function well as they are. But unless we ask whether we may have fiscal efficiency derived from a merger – a question a study may answer – we will not know.

Casey Romero asked, if this passes will the village also participate and share the cost of the study?

Gordy Smith said he is a lifelong resident with over 45 years of community service. He has been on the selectboard for 6 years and on the trustee board for almost 20. The trustees agreed to put an article on the village annual meeting warning that, if approved, says if this study is approved by the town the village will participate and pay half the cost of the study, up to \$4K. If the town votes no, he assumes the village article will be a moot point.

He wants to comment as a town resident, not a trustee board member. In 1999 at town meeting there was a similar article about a merger. The people at that town meeting overwhelmingly voted not to merge. The village has had a lot of low income grants. Because median income would increase if the town and village merged we would lose some grants. We were told with Act 46 taxes would go down. But school taxes are going up about 12%. He heard that only 12 people from Johnson showed up at the school district annual meeting. We used to be able to ask the school board questions at town meeting. Different boards have made different decisions on a local level. The trustees decided it would not be effective to put a sidewalk to the library on Railroad Street. They decided a crosswalk would have less cost. The selectboard tried to push for a sidewalk and the trustees said no. Gordy spoke with a trustee from Cambridge and asked why they hadn't merged. He was told that they like local control. They want people living in the village to decide about the village. We basically have already merged. The village owns a tractor that the town can use at no charge. The village has a wood chipper that the town highway department can use. When we have a lot of snow and the village crew can't keep up, the town comes with a bucket loader to help. He thinks the town and village work efficiently together now. A lot of things get done better at a local level. About 4 years ago a manager came from Northfield to talk about the electric utility. His perspective was that when Northfield had a merger its electric department ceased. Now when they have an outage they are at the mercy of GMP. He told the trustees that with the merger they didn't save money by having less equipment. The biggest change was moving to a board of commissioners for water and electric that reported to the selectboard. He would rather have utilities under the control of the trustees. The electric department helps keep all parts of the village functioning. The village has its financial house in order. Water, sewer and electric rates are level funded. He would rather not try to subsidize people outside the village. With a merger the town would save about \$60K from the ten cents on the grand list they give the village, but they would have to spend money on maintaining sidewalks, etc. And the village would lose about \$48K in PILOT money. He hopes people vote no. If it ain't broke, don't try to fix it.

Arthur Hooper talked about waste he has seen in Morrisville and the increasing cost of prescription drugs.

Greg Stefanski asked if we have a cost estimate for a merger study and if the selectboard would make a commitment to bring back a report. In the past, reports haven't always met expectations people have had. Eric said the selectboard will bring back whatever the results are.

Duncan said he expects the 3 main components of a study would be an assessment of existing conditions, assessment of potential costs and benefits including tax and rate ramifications, and analysis of non-financial benefits such as having a single vision as opposed to two different visions. Using a rate of \$55/hour he came up with an estimate based on about 150 hours of work. We wouldn't know the actual hourly rate until we put together an RFP. He assumes both boards would put one together. His estimate is around \$8K. He feels Gordy made a lot of good points about why there should not be a merger. What the article is proposing is to study the costs and benefits of a merger. We have talked about it but we have never looked deeply at costs and benefits. There doesn't have to be a full blown merger. Other communities have looked at consolidation, such as merging the highway and public works departments, without formally merging the government.

Lea said there may be grants to help pay for the study. She believes this study would be eligible for a Municipal Planning Grant. But we might not be able to get a grant. There is a line item in the selectboard budget for consultant services. It looks like that might be an appropriate place from which to draw about \$4K for this study.

Duncan asked for a paper ballot and at least 7 other people indicated they also wanted a paper ballot.

Voting was by paper ballot. Of 93 ballots cast, there were 66 votes in favor, 25 opposed and 2 blank. The motion was passed.

Article 12. Should the Town adopt the Form Based Code ordinance as proposed by the Johnson Planning Commission?

Howard Romero moved the article as printed and the motion was seconded.

Eric said many years ago there was in statute the ability for voters to reserve the right to approve any zoning ordinance. The voters of Johnson did reserve that right, taking it away from the legislative body. Then the legislature changed the statute, removing the right of the voters to approve zoning. When that happened a prior selectboard promised it would still respect the voters' opinion and would honor a vote of the townspeople on zoning. Eric was on that board and he committed to that. He will vote accordingly when the selectboard votes on zoning. He thinks he and Doug are the only ones on the board now who were on the board at that time. He can't speak for the other board members. The selectboard would like voters' input on the town adopting form based code. If a majority votes in favor today Eric will do so as well.

Kyle Nuse said she was on the original steering committee, a diverse group of people who met twice a month to learn about form based code with the consultant the town had hired. They came up with the original code proposal that they gave to the Planning Commission. The Planning Commission has made changes and now the code is before us today.

Jeff Corey asked about what the code pertains to. Does it apply if someone wants to put a shed up? Does it affect what type of house they can build? He was expecting more of a presentation explaining what the zoning is about. He really doesn't know what it means to a new person coming into town and wanting to build a certain type of real estate. He thinks zoning is a good idea in some respects. But if we are trying to attract people it may be a problem to start restricting what they can do. He is wondering how many people really understand what this will do for the town.

Kyle said we have had some public hearings and there is a presentation in the back but she will go over some information. The purpose is to better control future development to maintain the appearance, growth and economic health of the town. The code covers 3 districts. The Village Storefront District is Main Street downtown. The Village District is a mixed use area just outside the Main Street storefront area. The Village Neighborhood District is mostly residential – Railroad Street, Clark Street, etc. Members of the Planning Commission brought up maps showing the districts. Kyle said this code is really about the Village of Johnson. It is a town ordinance regulating not the use but the form of buildings in the village. It would not affect

someone outside the village. The code is not about existing buildings. Existing buildings as they are are exempt. It is about new structures. The point is to somewhat regulate the look of buildings to keep the character of the village we love so much. Unless you are doing a substantial modification to an existing structure the code would not be triggered. If you are building a new structure in one of the village districts that would trigger the code and there would be a checklist of things you need to follow. The code would not regulate use. You could have any kind of business. It would regulate the form of the building.

Walter Pomroy said he was also a member of the committee that helped write the original form based code. A perfect example is the new Maplefields. The one in Morrisville is a big box. Our new Maplefields design is a copy of the store in Newport, which has form based code. We asked Skip Vallee to incorporate some things to give the building a New England design and incorporate it into the community, such as making it two stories. We have a building he feels is better for the design of the village. We didn't tell him what he could do with his property. The purpose of form based code is try to keep a continuous vision for the village. As the committee wrote the ordinance they tried to write it to preserve what we all love about this village.

Jeff Corey asked if form based code will be carried forward to the town. Walter said at some point if people want to go that route they can. The committee felt the most important place for economic development was the face of downtown Johnson – what people see when they come off the rail trail or drive on Route 15. We have a lot of beautiful old buildings. Let's try to preserve, emphasize and support this vision for economic growth around the concept of a New England village. The bottom line is that most of the standards are like what is already there. We are trying to preserve the downtown village we all know and love and prevent future development getting outside our vision of a downtown. We are not telling people what they can use their buildings for but how they fit into the community. As Eric once said, we can grow by choice or we can grow by chance. He thinks we should grow by choice. He supports this code. A lot of community members have been involved in this. He thinks the plan is excellent and helps us preserve this community and put our best foot forward to help with economic development.

Peter Moynihan said when the form based consultant came to town meeting and was given half an hour he was thinking that this is a village issue, not a town issue, and he is thinking the same thing now. Kyle said this is a town ordinance. The village is part of the bigger town. Peter asked why we don't vote on it in the village. Eric said for the same reason the town paid for the consultant and took the lead. It wasn't known whether it would be village or townwide form based code and it turned into what he would characterize as neighborhood form based code. It doesn't even encompass the whole village. Lea said the way she is looking at this is that our downtown is for all of us. We all derive benefit from our downtown. If we care about improving the character of our village all of us should have a say.

Stacey Waterman expressed her support for form based code. She thanked all who worked on it. She said this vote and this form based code decision is all about local control. She has heard a lot of talk about the need for local control in our town. This is all about local control. Without any zoning we have no control at all over what kind of development happens in this town. If you are concerned about having local control of development of the place we love she would say to vote for form based code. Local people have put in a lot of work to make sure the village keeps its character.

Howard Romero said if it had been just a village issue they could have looked only at the village. The idea was not to put a political boundary on our neighborhoods. So if any street stopped at the village line but the neighborhood kept going then form based code could be configured to cover that. Main Street in Vergennes is an example of a really spectacular, gorgeous, warm, inviting and energetic downtown. That is a lot of what the chart is about. We want stores at the front of their lot with as many windows as possible. That is probably the main aspect of form based code. We don't care what you do in there. It just has to look like the rest of the village in form. When businesses move to a community they like certainty. We have had some trouble attracting businesses because we have no codes. Businesses are afraid of that because we might impose anything. This code gives them certainty. As far as what happens outside the village center, nothing is changing. A property owner can put up a shed or have a pile of dead cars.

Jinny Bogny-LeMay asked, does this code protect the historic buildings in town from being changed? David Butler said no. That is not really the responsibility of any sort of zoning. That is the responsibility of the town fathers and the Historical Society. What it does is maintain the structures we have and improve structures in the future to maintain the attractiveness of Johnson. When this project was first started it was going to be a townwide zoning code. In the very early meetings it became obvious that the money voted to hire the consultant was about a tenth of what we needed to create a code for the town. So the Planning Commission and the steering committee had to make a decision as to how best to use the town's money. The decision was to concentrate where we could have the most effect so we concentrated on the core of the village and decided that would be the start. This is a living, working document we have the ability to adjust. We can expand boundaries and change some things. Skip Vallee, owner of the Maplefields, came to the Planning Commission twice. They told him they couldn't control what he did but told him what they would like to see – green space, the building backed up to the side of the lot, etc. He basically agreed to what they asked for because they gave him structure he knew they wouldn't fight on. That is basically what this does. We are not asking anyone to change anything on any property. We are just asking them to follow a certain structure if they do decide to change their structure in the future.

Charles Gallanter addressed why this isn't a village matter. At the January 14, 2015 meeting of the form based code committee, a trustee said the village trustees would not adopt the code because it would be too expensive for the village but they would be willing to have it if the town paid for it. At a selectboard meeting the question was asked how much this would cost and the answer given was not very much. Paul Dreher said the estimated cost to administer the code could be \$15-18K a year. No one knows how much it will cost to administer it. As far as preserving the character of the village, very few of the existing Main Street structures are in conformance with the code. He thinks the Tangles building is the only one that has sufficient glazing. He named some other buildings he feels would not conform to the code. Right now it is limited to portions of the village. Many members of the drafting committee and the Planning Commission have stated they would like to see it expanded to cover more parts of town. The village trustees could adopt this code. Their question and his is what it will cost to administer this. The answer he has heard is that no one knows and there is talk about grants available. Grants aren't free. We need to know that people want to expand the code. He doesn't buy that it is easily modified. Any change has to go to the Planning Commission, then it has to go to the selectboard for 2 public hearings. It is not simple to amend this code.

Scott Meyer said he was on the steering committee. As far as the concerns people have about this eking its way into the town, that is easy. Form based code works on density. The committee discussed how far into town to go. Outside the village limits we have a diverse housing stock. Form based code works on visual impact so very early on the committee decided that the area outside the village is so far outside the scope of form based code that they decided not to go down that road. There is no pragmatic way to say which is better, a log cabin or a farmhouse. As far as cost, it is hard to manage the initial cost. It depends on whether we have a lot of development. But he has been a resident of this town for about 35 years and not a lot has changed, so he feels the cost will be small. We don't know what development will happen in this community in the next 10 or 15 years. Some older people on the committee and older people who are neighbors of his have talked about what a wonderful community we used to have – what a great village center Johnson used to have. If you are comfortable with the direction the village has gone, don't vote for this code. If you want it to be more like what we used to have, then vote for this code. He constantly hears in his travels around the state what a cool town Johnson is. He would like to maintain this. If a business owner is thinking of coming into the community but does not know what will be built next door, they will probably prefer another community.

Dean West said he has spent more time here than most people. He has seen a little change. It has been mostly uncontrolled, with no direction except from the developer. The image the village creates reflects what the town really is when someone visits. Some of the change he has seen has not necessarily been good in his mind. He would like to see the character of Johnson go back to what it was maybe 50 years ago. That is probably not possible but we can't start any sooner than now to direct what the character of Johnson will be in 20 years. He would support form based code.

Phil Wilson said as the code is written if you as a village homeowner trigger it, it requires that you bring your structure more into compliance but you are not required to bring it into complete compliance. You could choose to tackle one item and are not required to do all of them.

Casey Romero said she would like to ask someone from the Planning Commission to clarify the point about how if we had form based code most buildings currently in the village couldn't be built. If the code was based on what we have, that doesn't make sense to her. David Butler said in part of the evolution the committee and the Planning Commission studied what is in the town. The glazing requirements come from actual measurements of buildings. They looked at buildings they liked. They tried to create the code to maintain buildings they liked and bring more of them into downtown. Right now in existence there are a lot of buildings that don't meet the ideal of the code. But we are saying we don't want to impose on present property owners. We don't want to force them to rip their buildings down and start again. We are trying to say that when you change your porch or the front of your building or build something new we want you to conform to a certain structure so the areas improve and become more attractive over time.

A voter asked what happens if an old building burns and the owner has to rebuild it. David Butler said he would want to read the code again to be sure, but he believes in the case of catastrophic destruction you are exempted if you want to build back exactly what you had. But when you come to get your building permit we will tell you things that would make it look better. All we care about in this zoning is the front façade of the building that is visible from the

road. We don't care what it is built out of. Charles Gallanter said David is wrong. Complete replacement has to conform to the code. He showed David the code and David agreed that is right.

Katie Orost moved to call the question and the motion was seconded and passed by a voice vote.

Scott Meyer asked for a paper ballot and at least 7 other people requested a paper ballot.

Voting was by paper ballot. Of 95 ballots cast, 76 were in favor, 18 were opposed and 1 was blank. The motion was passed.

Article 13. The citizens of Johnson, Vermont, stand in Unity to voice a Motion of No Confidence in President Donald J. Trump and his administration.

Rick Aupperlee moved the article as printed and the motion was seconded.

Eric said this article was brought in by petition. If there is a petition for an article that is illegal or not germane to the ability of voters to affect, the board would not have to put it into the warning. The selectboard did decide to put this in the warning but the board has no opinion for or against it.

Will Jennison read the definition of "unity." He said with this wording, if one person stands up against this motion, it can't pass even if a majority votes for it because that would not be unity.

David Williams said he would not interpret it that way. Given that the article is non binding, it is his belief that this motion is in essence a motion to express non confidence and the use of the word "unity" would not require unanimity.

Will said he feels this article is very divisive.

Jinny Bogny-LeMay said she agrees with Will. The citizens in Johnson do not stand in unity. What is the purpose of the vote except to create more animosity? Donald Trump is the duly elected president. She suggests that people wait until the next election and express their opinion there. We need to be neighbors and friends.

Walter Pomroy read a quote from Calvin Coolidge: *If the spirit of liberty should vanish in other parts of the Union, and support of our institutions should languish, it could all be replenished from the generous store held by the people of this brave little state of Vermont.* He said at some point our elders thought this quote was important as it is inscribed at the statehouse. His feeling about this article is that it is partisan, divisive, tribal, dehumanizing, and belittling. But Robert's Rules provides a way out. He will make a motion to postpone the motion indefinitely. That is useful for handling bad motions that cannot be either adopted or rejected without undesirable consequences. It basically says we will not vote on this motion.

Walter moved to postpone this motion indefinitely and the motion was seconded.

David Williams said under Robert's Rules the discussion of a motion to postpone indefinitely can include discussion relating to the principal motion. So in essence we will continue the same conversation we are having. The only way to cut it off would be a motion to call the question, which requires a 2/3 majority.

Walter moved to call the question and the motion was seconded.

Duncan asked if a motion to call the question is non-debatable. David said yes it is, unlike a motion to postpone indefinitely, which is debatable.

The motion to call the question failed by a voice vote.

Duncan Hastings said he has never liked these types of articles that people have divided feelings over. His problem with these is that they don't have any practical purpose and end up making some people feel good and some feel bad. He doesn't feel articles that have to do with national policy are appropriate for town meeting, so he will support Walter's motion.

Gordy Smith said he agrees with Duncan. He feels this article doesn't belong. Most people who were here this morning have already left. If we take a vote it will not be a true representation of our community.

Dean West said it looks to him like his freedom of expression of political views is taken away when a body is going to speak for him so he would like this item defeated.

Glo Webel said she is pretty progressive in her views and values. She thinks it is important to acknowledge and appreciate the people who went through the process of petitioning this article. Her feeling is that she has not been listened to by this administration. She is not happy about what is happening in the Trump administration. As a gay person she feels her rights are attacked constantly. The laws the Trump administration is proposing are not in her best interest as a woman. She knows people who have been hurt by the administration's policies. People in this town may feel we need to discuss these things but she doesn't see that happening. It is good to open up dialog and see neighbors who feel threatened by what the Trump administration is doing, especially since now the Trump administration is denying climate change and people no longer get to hear about it because the White House took everything about it off their web page. These are red alerts. She needs to be able to speak up and say we are in a dangerous place now because of this administration. We are not respected around the world. She is happy to talk further about these things with anyone.

Jeremy Baker said people in the armed forces follow orders from the top and Trump is at the top. He is here to convince Republicans who voted for Trump. He questions the leadership capabilities of the man who gives the orders to jump in front of a bullet or put a bullet in someone else's brain. He has no confidence in Trump. He has spent a lot of time listening to the news on the radio and reading newspapers. He has voted for Republicans, Democrats and Progressives in the past. He encourages people to vote for the motion. Within 24 hours of being elected, Trump raised the number of battlefield deaths. Trump has encouraged the police to bash the heads of people. He has solicited misinformation regarding Obama's birth certificate. Global warming made Syria a hostile place. Trump shut down the Syrian refugee program in Rutland. If

he wanted to start a war the first thing he would do would be make sure our borders were secure, then find a trigger to get someone to attack. If you want conflict, support Trump. Jeremy asked those who do not want conflict to stand with him. He said he stands with Ethan Allen and the Deists. He said history will look back and look at the whole world picture and people will be dealing with things we are not even worrying about now. Global warming will cause big problems.

A voter said we are very fortunate to live in a country where we can have this conversation. In any other country people talking like this would probably be thrown in jail. Trump was elected and we should have enough respect to try to support our president.

Cal Stanton said he is not here to try to convince anyone of anything. He agrees with Duncan that this is seen by some people as not the right forum but people feel desperate and scared. That is why people want to use this forum. People come to this forum and express themselves. The reality is that this is a very abnormal time and people act somewhat abnormally when times like this come around. This is a very unusual time on the world and national stage. He would hope people would honor that. He doesn't have the same feelings about honoring our president as the previous speaker. The president is a public servant who should be questioned just like the selectboard might. He has surrounded himself with people who are divisive. Abnormal times demand abnormal measures.

Rick Aupperlee said Teddy Roosevelt said that to announce that there must be no criticism of the President is morally treasonous. When the wording of the article was chosen, "stand in unity" was chosen to quote the state motto "Freedom and unity." The intent is to stick up for people who are being unfairly picked on.

The motion to postpone indefinitely failed by a counted standing vote.

Casey Romero said she hears a desire for continued discussion and sharing of concerns and taking action. Would the makers of the motion consider withdrawing the motion and forming some sort of caucus or discussion group or forum to continue discussion? David Williams said Eric had pointed out that since this article was presented by petition it is probably not in the power of the person who made or seconded the motion to erase it in favor of some other motion.

The motion was passed by a counted standing vote.

Article 14. To transact such other business as may be properly brought before this Town Meeting.

Duncan Hastings said the Johnson Historical Society is interested in hearing from anyone who wants to volunteer in any capacity. Those who are interested can speak to any board member.

Rick Aupperlee moved to adjourn, Casey Romero seconded and the motion was passed by a voice vote. The meeting was adjourned at 4:29.