

JOHNSON SELECTBOARD MEETING MINUTES
ALL PARTICIPATION BY ZOOM TELECONFERENCING
MONDAY, APRIL 20, 2020

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Rosemary Audibert, Brian Krause, Ed Raymond, Lisa Crews, Rick Aupperlee, Lois Frey, Jill Remick, Ed Clodfelter, Robin Chapman, Walter Pomroy, Scott Meyer, Katie Orost, 6 other people

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

No changes were suggested.

3. Review and Approve Minutes of Meetings Past

Kyle moved to approve the minutes of March 6, Mike seconded, and the motion was passed.

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

Rosemary said she will email out the budget status report. For current taxes we have about 1% more collected than last year and about 1% less than the year before. She has noticed that in the last few weeks payments have slowed way down.

The transfer on the trailer happened. The new owner moved in.

We have issued about 190 dog tags. Usually we issue about 420. Would the board like reminder notices sent out without penalties? The board previously voted to have no late penalties until after May 1. Brian said he thinks we will have to send at least one letter out whenever we want to collect.

Doug asked if there is any reason such as immunization records that we want people to come into the office to renew. Brian said without a records search we don't know whose rabies certificates will expire this year.

Eric asked if people are still able to get rabies shots. Brian said clinics were suspended for a while. Mike said the last time he drove by the vet's office in Hyde Park it looked open as usual. Rosemary said they are providing curbside care. Eric said we couldn't register a dog if it didn't have its rabies shot.

Mike said it is not a big deal for someone to drop off money in an envelope in the drop box. People know dogs have to be licensed every year. He would think a one month extension would be enough. **Mike moved that letters be sent to everyone who has registered a dog in the past who has not registered the dog this year reminding them that dogs must be registered by May 1.** Rosemary said that would be about 250 letters. Nat asked if the office staff has capacity to do that. Rosemary said yes. **Nat seconded and the motion was passed.**

Rosemary said the governor is allowing real estate transactions to happen. People can come in to do research. They can only come in one at a time. They have to make an appointment and wear a mask and gloves and we wash down stations after each person. The land records provider said it would be 8 weeks until our land records can be installed online. Rosemary pushed back a little and they said it may take 6 weeks.

Nat moved to authorize Eric to sign the warrants Rosemary had sent out, Doug seconded and the motion was passed.

5. *Road Commissioner/Road Foreman Report and Action Items*

Brian Krause said we used 370 tons of salt, 170 tons below average. We used 4500 yards of sand, 500 yards below average. We are right at 1000 hours of overtime worked but what has been paid is less because employees take advantage of comp time. He is not concerned about having enough overtime for the rest of this year but he is concerned about getting caught up once we can start working again with a full staff. We will be behind on quite a few things because only 2 employees at a time are working now and they can only do what is most important. He would love to have the ability to use overtime to get caught up.

Brian Story said it appears that regular funds already allocated, like highway salaries, are not eligible for FEMA reimbursement related to COVID-19, even though our spending on salaries for highway crew staying at home is emergency-related. It looks like we are not going to get reimbursement through that program. He is hoping other programs will be available. He is looking into other options. He reached out to legislators about how much we need support.

In answer to Nat's question, Brian K. said we have 2 workers per shift now. Nat asked if we can have two 2-person crews out at once. Brian S. said hopefully we can start engaging in more work as the governor loosens restrictions. Now we are restricted in what activities we can carry out to such a degree that we don't really need more people. Nat asked what the difference is between having only 2 people working and having 2 people working on one side of town and 2 other people on the other side. Eric said the concern is that we are not allowed to do anything beyond emergency type of repairs. Nat said he questions that and he thinks it needs to be looked into. Eric said what he has seen is that we can do things like replace a failed culvert or do emergency grading for safety, but we can't do routine maintenance. Nat said he questions that because the governor has loosened restrictions on, for instance, landscape crews. Eric said those changes are effective today and he expects there will be more loosening soon and our road crew will probably be able to resume work shortly. Brian S. said he has a conference call coming up on Wednesday with VLCT. They will get into detail about what work is permitted. He would like to wait until then to reevaluate what actions are permitted. At some point we will have to have a conversation about bringing more people in at once as we can do more activities.

Nat said there will be a real crunch with funds. We won't easily be able to find overtime money. Brian K. said he can keep employees apart while they are working. But they are not supposed to be working. Eric said Brian K. might want to think about a prioritized list of what can be accomplished with and without overtime. Brian K. said if his crew can start working soon it will be okay and he won't need to ask for much overtime.

Kyle said she noticed that Old Mill Park really needs a lot of cleanup. There are windblown trees and debris blocking the path. She mentioned to Lisa Crews that a goal post is in the ditch, probably carried by wind. There is a lot of stuff everywhere. She knows it is not a huge priority; she just wanted to make Brian and Lisa aware.

Brian K. said he got a couple of quotes for a utility tractor. He recommends buying a Kioti from Pete's Equipment in Morrisville with a broom and a 4-in-1 bucket. John Deere wasn't interested in quoting a broom and we need one so they are out of the picture. He got quotes on a Kubota and a Kioti. The Kubota quote is for a tractor without a 4-in-1 bucket but with a broom and loader. It comes in at \$83,500. The Kioti with broom, loader and 4-in-1 bucket is \$78,500. Pete's Equipment has one in stock and they can have it to us in 1 to 2 weeks. They are willing to deliver it now and not take payment until the beginning of July when we have money available. Now is a nice time of year to start reclaiming shoulders with the tractor.

Eric asked how Rosemary feels about writing out a check for \$78K July 1. Rosemary said it's fine as long as we borrow the money from the bank.

Brian S. said it looks like if we borrow the money, with interest over 5 years the cost will be a little less than \$85K. We budgeted \$100K as a maximum amount, so it will leave the equipment fund pretty healthy.

Mike asked if Brian K. is happy with the Kioti vs. the Kubota. Brian K. said he is happy. He doesn't think the quality of the Kioti is as good but he thinks for what we will use it for it will be fine. Mike asked, there is no way to get Essex Equipment to come down on the price for the Kubota? Brian K. said maybe he could try. Mike said he thinks Kubota is a better tractor. Brian K. said he agrees but there is nothing wrong with Kioti and he doesn't see issues for the amount we will use it.

There was a question about the horsepower of the Kioti. Brian K. said it is 110 horsepower.

Brian noted that the price difference between the two is not just \$4K; it is more like \$8K because the Kubota price does not include a bucket.

Mike moved to buy a Kioti tractor from Pete's Equipment at the quoted price, Doug seconded and the motion was passed.

Brian S. said he and Brian K. think they would like to make a few minor changes to the permit that goes with the new right of way access policy so the board will see that again in the next month or so.

6. *Discuss Possible Delay of Reappraisal and Procedures for Assessment Disputes*

Brian S. said accommodations are being made to make it possible for us to do the reappraisal and handle disputed but the board has been wrestling with the question of whether we feel comfortable taking advantage of the accommodations to complete the appraisal. There are additional concerns now due to the news about NVU.

Doug said he is worried about people going to properties and about the workload for the selectboard. Is it absolutely necessary for us to go forward with the reappraisal? It was Jill Remick's recommendation that we go ahead with the reappraisal and he suspect's it is Robin Chapman's too. He asked about scheduling.

Robin said all site visits have been done. Sales review has been done. The assessment is nearly ready to go.

Eric said if someone contests their assessment and is not happy with the assessor's decision they will appeal to the BCA. We can handle BCA hearings remotely, but there is a requirement that 3 BCA members go out and view the property. If that doesn't have to happen until August maybe there will no longer be an issue but if it is 3 weeks from now we would have a big concern about putting people out there if there is a possibility of a lot of appeals. What is the timetable and how would we manage the issue of site visits if we are still in the middle of the pandemic?

Ed Clodfelter of NEMRC said NEMRC is not scheduled to start hearings until the first part of June. There is no potential BCA involvement until probably sometime in August.

Doug asked what percentage of those who grieve are likely to come to the BCA. Ed said about 5% have pre-hearings and about 5% of those have hearings. After that, it depends. Last year in Middlebury about a dozen went to the BCA. A couple of years ago in Woodstock there were 14. There aren't usually a lot.

Eric said in the past when we have had reappraisals the majority were resolved at the listers' level. Rosemary said she would say typically less than a dozen go to the BCA. Eric said it is fair to assume there may be 10 to 15 that go to the BCA.

Eric said if NVU shuts down and the market takes a significant downturn, the common level of appraisal would take that into account and the state education tax would reflect that. Ed said we won't know how what happens with the college will affect the market for a year or two. We need to put ourselves in a position where we can respond quickly if we need to. There is really no going back to the old files. When the appraisal is completed we will have a new, clean set of data. If we have to adjust assessments in 2 years, if we have good data we can respond quickly with a statistical update for half the cost of doing a reappraisal. He thinks the best scenario for the town is to get the new data in place and prepare for what may happen.

Doug asked, if we have good information at this point, what is the disadvantage to waiting until next year and seeing how property values are affected? Ed said we need to keep the data updated as much as possible. We can't just take a year off. Doug asked what he means by taking a year off. He assumes we have a contract with NEMRC and they may not have time to keep on top of the data and might not have time to help us if we delay. That would be good reason to go ahead. But will be out of sync in a year if NVU pulls out? Ed said we need to get all transfers in place and keep the property information as current as possible and then if the market changes we change the base set of tables. If the market changes we do not change

the data. We need to keep that current so we can adjust values accordingly. Doug asked what the assessors will do differently regarding data and base tables if we roll out the reassessment this year vs. next year. Ed said we lose a year of data if we roll it out next year. He thinks it will take two years to determine the impact of NVU closing if there will be one. We need to get the base established, then monitor changes.

Mike asked if there is an average percentage increase for reappraisal of all homes. Ed said they haven't looked at that yet. Mike said we roll out the reappraisal and homes are worth 10% more on average and during this timeframe the college closes, that can lower the value of homes below their current appraised value. Homeowners have a chance of losing twice and overpaying taxes. Ed said what happens after April 1 doesn't affect the grand list for this year. Mike said he sees people losing value and having the homes assessed for more than they are worth. Trying to correct that could be a big problem. Ed said the common level of appraisal was 93% last year. There would have to be a pretty significant drop to have an impact.

Doug asked if Ed thinks the effect of NVU pulling out would be likely to be uniform or different for different types of property. Ed said it is likely to be different. He doesn't think it would really affect large tracts of land. He doesn't think mobile homes would move downwards much in value.

Scott said the Vermont State Colleges Board of Trustees will take a vote on April 27. Would it be prudent to see what their action is going to be instead of trying to guess? Mike said he likes that idea. Eric said he doesn't think it will be over in 7 days. He doesn't think the vote will be the end of it.

Mike asked if we have to vote on this tonight. Eric said he thinks we should either give the green light on the reappraisal tonight or pull it completely for this year. The assessors need to start the process.

Jill Remick, director of property valuation for the Tax Department, said since the assessors are done with the physical part of the reappraisal that is one reason to continue on with it. The state sets CLA based on the market. There is room for calibration. She doesn't see any benefit in holding off because the assessors are so far along already and she doesn't think there will be any fewer concerns or more certainty next year. She doesn't think it would be a good idea to wait 7 days before making a decision. People may grieve at a higher than usual level but she doesn't think it will be better next year; it may even be worse. She thinks the town is in a good position and her recommendation would be to continue and finalize the reappraisal.

Kyle moved to move forward with rolling out the reappraisal. Brian said we don't need a motion as long as the board doesn't want to stop the reappraisal; it is already in motion.

Brian said the reappraisal will raise property values for quite a few people but it will better represent the current state of Johnson. If that changes for any reason, that change could be applied to bad, out-of-date data or to current, accurate data. If we have current, accurate data

we are in a better position to manage changes with a statistical change or by speeding up the next reappraisal. His recommendation is to go ahead with the reappraisal and talk about options for the next reappraisal or statistical changes. Now we are working with bad data.

Ed said the old data is really not accessible. They haven't touched it for more than a year. The old database is really not usable as far as he is concerned.

Doug said Jill had made the point that stretching out the reappraisal over 4 years is a long time for the data, but he doesn't understand how we would lose our data if we delay. He thinks the pandemic and NVU leaving will affect property values. He hopes the assessors go ahead with the reappraisal.

Eric said we did a townwide reappraisal just before the 2008 recession and in 2008/2009 our CLA was around 110%. If we assessed values with the college here and then it was gone, CLA is what would change to reflect that. Doug said CLA is not the only game in town. For probate, the state will accept the value of the appraisal. The appraised value sets people's expectations. People tend to treat it as gospel and it affects people's negotiating position. Eric said the same could be said of what the appraised values are today. Doug said he agrees they are less equitable today.

The board agreed to let the reappraisal continue. Jill left at 8:06.

Robin said in May the reappraisal will be finalized, go to the printer and be mailed. Pre-grievances will be heard on June 1, 2 and 3 and actual grievance hearings will be June 8, 9, and 10.

7. *Planning for Future Reappraisals*

Brian S. said our contract with NEMRC is going to expire. We could start to think about the next contract and the next reappraisal. They have told us that reappraisal in Johnson is especially difficult because we have no zoning so it is hard to keep track of new properties. They are asking if we would adopt some kind of building permit.

Eric asked, we can do that via regular ordinance? Brian said he is not sure; he is doing research.

Eric asked if the assessors have thoughts on the rolling reappraisal. Ed said Charlotte has done something similar for about 25 years. In the 5th year they put new schedules in place and update values. A couple times of times they had to update values sooner than the 5th year because values were going up so much. It is impractical to drive all roads each year. That is expensive and time-consuming. The reason for having building permits is that then the assessors would know where to go.

Robin said the grand list needs to be maintained every year whether or not the assessors do a reappraisal. Sometimes she finds out about a new house and has to go see it and find its value. She has found ways to find new construction. She checks highway cuts that Brian K. has approved and properties where people have applied for wastewater permits. But those are not all new houses. It is very unsafe for her to check the properties. She is driving up a new

driveway to put a value on a house she knows is under construction, by herself. She has no contact information for these people because no permit is in place. She is blindly walking onto the property to look for new construction. People get upset when you come unannounced, but she can't announce her visit.

Nat thanked Robin for letting the board know that. He said we take her safety seriously. Eric agreed.

Eric said if we are going to continue with the rolling reappraisal we need some way of knowing when there are modifications or additions to properties. He asked if Brian can explore whether we can use an ordinance for that. Brian said he will. He said the permit format he is investigating is one that does not require inspection. If you apply for the permit it is given to you to do whatever you want, but you have to inform the town. Mike said he thinks it is a good idea to explore a building permit. It has to have teeth – a fine if you don't apply for it.

Eric said we need that information soon because we going into construction season. Brian said he can have a draft proposal before the next meeting.

Brian said Ed and Robin are hoping to put a proposed contract before us for next year that continues the rolling reappraisal while we work on implementing building permits. Eric asked when our contract expires. Ed said the end of June.

Mike said if Robin ever feels uncomfortable he can meet her at the location she wants to inspect. Robin said she goes out not knowing if she will find something. Mike said she can call him if she feels threatened. Robin said she has made it a habit to tell people where she is going if she is doing an inspection and she has Brian S. and Brian K. as contacts on her phone.

Eric said Robin has been a great asset to our community. She has done a great job. (*Robin and Ed left at 8:23.*)

8. *Continue Discussing Options for Handling Late Tax Penalties*

Brian S. said he did more investigation on the law that enables our delaying the late penalty by delaying sending out the tax notice. That is not going to be applicable in our case. We call it a tax notice, but it is really a late penalty notice, which has a different statutory requirement. We can't assess penalties until 30 days after the tax notification and there is no requirement for the notification to go out. But what we actually sending out is required to go out 15 days after the date set at town meeting. That will not enable us to delay tax penalties. So the strategy for penalty relief that is still available is abatement. We can provide a form for people to fill out if they have COVID-19 related financial impact for the 4th quarter payment and we can approve the abatement requests relatively quickly, though not as a slate. That would still require people to make the request but they wouldn't necessarily have to appear before us.

Mike said he assumes this won't affect people who are currently delinquent. Brian said he would suggest limiting it to the 4th quarter payment. It is up to the board how much scrutiny

is put on each one. His suggestion would be to have a form for those who are current except for the 4th quarter who claim financial impact just for the 4th quarter. Those would be very cut and dried.

Eric asked, this board will set up the form and then the abatement board will decide whether to grant a 30 or 60 day extension? Brian said yes. The BCA decides on abatement requests.

Doug said he thinks repeat offenders could be equally affected by COVID-19. Eric said it would be up to the abatement board to make the call. Doug asked, aren't we saying we will deny abatements to people having problems due to COVID-19 who are historically delinquent? Brian said no; anyone who needs abatement for any reason should apply. He is suggesting creating a simple form for people who meet certain criteria but anyone can have a hearing. There will be a simplified application for those who meet the criteria and others who do not meet the criteria can also have a hearing and the BCA can vote any way they want on any case.

Kyle said she agrees with Doug. We can't discriminate at all. We shouldn't prejudge based on history. Mike said that was not his point. He was talking about people who were delinquent on the previous year's taxes and coming up for tax sale. Eric said this would only be for this current year's taxes.

Rosemary said we could put the form in the first letter that goes out for delinquent taxes.

Doug asked how long the BCA process takes. Eric said we have to meet within so many days of an appeal. These could be pretty quick decisions.

The board agreed Brian and Rosemary should develop a form. Kyle asked if there is a way to have it available to fill out online. Brian said he can make a fillable form.

9. *State and Regional Initiatives for Revolving Loan Fund*

Brian said the state is proposing a common application and guidelines for revolving loan funds. Across the state there is about \$10 million in unallocated revolving loan funds. The suggestion is that people would apply through the Agency of Commerce and Community Development for a \$20K loan and the state would kick in an additional \$5K grant. We might loan money to a business that was not in Johnson but that related to Johnson in some way. The Agency of Commerce and Community Development would send applications to relevant communities and communities would decide whether to approve the loan applications. It would simplify the process and we would get more money loaned out. He thinks it would be a good system but we would not just be loaning to Johnson residents. We can refuse any application they send. But if we don't intend to approve any from outside Johnson we should probably let them know that.

Eric asked, the money comes back to Johnson? Brian said yes.

Brian asked, would we consider loaning to a business outside Johnson, for instance a business like Smuggler's Notch. People from Johnson go there for work and recreation. If we

would not consider that, he would recommend turning down participation, but he thinks we should consider loaning to businesses outside Johnson and participating.

Doug said he thinks this is a terrible idea. It is the camel's nose under the tent. We should at least see what will happen with NVU and what needs are in our community. We would be selling out local businesses for a simplified form and \$5K from the state. Mike said we will have ultimate authority. Doug said there is potential negative impact from moving money out of our community. Mike said we don't have to let it go if we don't think it is advantageous to us.

Nat asked where the grant money is coming from. Brian said from the state. It doesn't come out of our fund and this program doesn't supplant our current application process, though we have a cap on the money we can loan out and this could tap us out.

Eric said there might be good reason to give a loan to a business outside Johnson if it has a connection to Johnson, like Marvin's.

Nat asked about the end date for this program. Brian said at this point there is no end date.

Brian said there is nothing for us to sign up for today but it would help ACCD if we let them know if we think we are interested. There will be another opportunity to review before we commit.

Nat said he thinks we have a lot to gain by participating, especially if this is a temporary program and with the \$5K incentive. We have money just sitting there now. We haven't been very effective at lending it and there is a requirement to lend out a certain amount by a certain time.

Kyle agreed. She asked if we have any applications in currently. Brian said no. Kyle said she hasn't heard of any businesses in Johnson jumping at a loan. Even if there is low interest they are not sure if they can pay it back. She thinks we should explore this more.

Doug said he would be opposed.

Brian said he will give them a letter of interest. He will include Nat's concern about an expiration date for how long we expected to participate. He will say we are interested in participating for a limited period. Maybe he will ask what they think about us committing a portion of our total loan fund.

10. Skate Park Maintenance

Brian said the skate park has a number of structures that need maintenance and they would like to start work. They have enough funds and people willing to do the work, but the current restrictions are limiting that. How does the board feel about giving a pre-approval to begin work when enough restrictions are lifted that they can do the work?

Kyle asked what work is needed. Brian said the things he is aware of that need maintenance are railings on ramps and transitions from plywood to the rims at the top of structures. We got some recommended changes from VLCT.

Lisa Crews said she is not that familiar with what need done. She knows Casey wants John to do the work. He knows what needs to be done and has the skills and tools.

Nat asked if John would be working alone. Lisa said she believes so. Nat asked Scott Meyer what he thinks. Scott said it's outside and even if there is second person, as long as social distancing is followed and they have separate tools it should be fine.

Kyle said she thought she just read that the governor said outside construction is now allowed. Scott said it is. The ACCD has guidelines for businesses that he sent out this morning. He doesn't think this is much different than allowing people to work in the community garden.

Eric said maybe we can let this get started if Brian reviews the guidelines. Brian said if it is not allowed now he expects it will be in the next round of loosening restrictions. He would like to have two people there. He likes that for construction if there is a chance of injury. Scott said he would support that.

Lisa read from the state guidelines about people who work outdoors. Eric said it sounds like all our highway crew could come back as long as there are not more than two in a truck. Others agreed.

Nat moved to authorize maintenance work at the skate park under the ACCD guidelines, seconded by Kyle. Kyle said maybe removal of the trees put on the structures should be coordinated with the town. Brian agreed; we will assist with that. **The motion was passed.**

Eric asked if we want to go back to the discussion about the public works department. Brian said he understood that the idea was to bring employees back to work as quickly as possible in line with what is permitted. He will review the guidelines tomorrow. Eric suggested if Brian wants to wait until Wednesday that might be wise. Nat said the document is clear. He doesn't feel we need VLCT's blessing. He agrees that what the board said was that employees should get back to work as quickly as possible based on state guidelines.

Scott said he would recommend not having two people in the cab of one truck for a while even if guidelines allow it. Eric said he would agree. He said the suggestion to Brian K. would be to limit employees to one per truck.

11. Local Emergency Management Plan Annual Update

Eric said the update to the plan just involves a few tweaks to the previous plan. Brian showed the text of the current plan on the screen. Eric reviewed the changes. Nat was added as a second deputy director and Scott was added as EOC planner.

Mike moved to authorize the chair to sign the updated Local Emergency Management Plan with the changes discussed, seconded by Kyle.

Kyle said she reached out to VSC twice about being an alternative warming shelter and they haven't gotten back to her. Does the board want her to continue pursuing that? Greg Tatro offered his place and the elementary school is definitely available. Eric said he would say we are fine.

Scott said things are definitely leveling off. There were no new COVID-19 cases for today.

The motion was passed.

12. Local Hazard Mitigation Plan Grant Application

Brian said the hazard mitigation plan is updated less frequently than every year. It will be up in 2022. In the past LCPC has helped us write it and they are interested in doing that again. He is seeking approval for a grant application for 2021 work to update the plan for 2022. The grant will cover 75% of expenses. That will leave a few hundred for the match. Most will be made up by his and LCPC's staff time. Little if any will come from tax dollars.

Kyle moved to authorize Brian to apply for a grant for work on the Local Hazard Mitigation Plan, Mike seconded and the motion was passed.

13. Request for Noise Ordinance Waiver from Lamoille County Field Days

Brian said Lamoille County Field Days applied for a noise ordinance waiver. The dates might be changed but as of right now they are hoping can conduct Field Days on time. Kyle asked if the request is the same as before. Brian said yes. **Kyle moved to approve the noise ordinance waiver for Lamoille County Field Days, Nat seconded and the motion was passed.**

14. FEMA Disaster Assistance Applications Update

Brian said under current circumstances funds released by the CARES Act won't cover some expenses we thought they would. They are only covering wages for direct response to COVID-19 that weren't planned to be spent for another purpose. If we redirect staff for COVID-19 related reasons that is not reimbursable. His time is not reimbursable and sending employees home is not reimbursable because we planned to pay them anyway. Only overtime hours for emergency response will be covered, not overtime to make up work we were prohibited from doing. We are not eligible for funds from the Paycheck Protection Program. He is hoping we will find another avenue or the next round of funding will include some aid for municipalities. We are not in the hole because of this. But he had hoped CARES Act funds would help pay for overtime to catch up. He will work with Brian K. to get a handle on what kind of maintenance will have to be deferred

Doug asked, if we had laid the people off, would it be compensable? Brian said not by us, but they would be collecting unemployment. Kyle said we wouldn't be penalized for that. Doug said that is water over the dam, but while it may have been morally prudent to keep paying people he is wondering how fiscally prudent it was. Brian said if there is an aid program in the future we may be in a better place to qualify based on that decision. Scott said he thinks both boards did the right thing by keeping people employed vs. putting people on unemployment. If someone was infected we would have had to fill in with other staff and

there would be more hurdles if they were on unemployment. He wouldn't second guess this too much. He thinks we did the appropriate thing. Mike, Kyle and Doug agreed. Brian said all our employees are on call, ready to come in if there is an emergency.

15. NVU Update

Doug said he thinks the solution is clearly at the legislature level, not the trustee level. Nat said it is definitely in the legislature. The sense he got from trustees and especially the chancellor was that they are pretty dug in on their position to close 3 campuses. The outpouring of support for NVU has been incredibly impressive and strong. There is no doubt that legislators are noticing that and feeling the impact of that. We need to continue to encourage that pressure over the next 7 days. Matt Hill and Dan Noyes have been great at communicating with us. It is unclear to Nat how the state can move forward with this chancellor in place. He is so determined to stay on this course. But he doesn't know how possible it is for him to be removed.

Eric said he would not say removing Jeb Spaulding would take care of the problem. Watching the trustee board members it looked like the outcome was predetermined. He talked today with all 3 legislators. They say we should reach out to everyone we know in other parts of the state and have them write to their legislators. Legislators will listen to their own constituents. The governor and legislature have heard the message. Eric was blown away with Mike's and Kyle's efforts on Main Street. The legislature is hearing us. He thinks there is fortitude now in the legislature to fund state colleges.

Nat said he doesn't mean to imply that Jeb Spaulding is the problem. He thinks the problem was decades in the making, with a lot of people who can be blamed. He is just not seeing flexibility from Jeb.

Doug said his sense is that the trustees were concerned about their money and were discounting harm to students. In the next year the colleges need \$25 million whether or not campuses are closed. The Agency of Commerce and Community Development is dealing with hemorrhaging of local communities. The state will have to deal with us being decimated. Brian agreed that it didn't feel like the ACCD's efforts to move people to Vermont were sufficiently taken into account.

Scott said 2000 students would be looking for a home. Is there legal recourse for families of students due to breach of service? Doug said he has no idea. He doesn't think students have the leverage and money to get something out of the system.

16. Selectboard Issues/Concerns

Eric asked for an update on the dog bite. Brian said we were able to execute the order. Following that, he spoke to the Armstrongs and they indicated they want to file an appeal. He told them that must be filed with the Superior Court and advised them to consult an attorney for assistance filing correctly. They asked if he would refer them to an attorney but he declined. He said it would be a conflict of interest. He talked to them about cleaning up their property. He will meet with Harriet Armstrong next week to start talking about a plan for progressive cleanup on the property.

Eric asked, do we have to hold onto the dog for 30 days? Brian said yes; it is at Lamoille Kennels until the appeal period is over. When that is complete we will have it humanely destroyed at LVVS. Eric asked, because courts are not operating, will we have to keep it longer? Brian said there is nothing he knows of that delays the filing process but if James Armstrong is granted a hearing it may take longer. Eric said a judge could order a stay on euthanizing the dog. Brian agreed.

Mike said he thinks there would be thousands of dollars in rolloff fees to pick up all the trash on the Armstrong property. Brian said they can't afford to pay for it all at once but Harriet seems willing to talk about a progressive plan. Eric said it looks like the state might help us after the pandemic. Mike said he feels if they would be willing to have it cleaned up we ought to look into finding some way to pay for it. Nat suggested we might be able to work with the solid waste district on creative ideas to make cleanup less expensive. Brian said he has had some discussions with United Way about assistance.

Doug asked if we have a harder option rather than being kind and generous. Brian said we have fines. We will do an investigation on their septic system. We will seek assistance from the health department and DEC on what we can do to make change happen.

17. Adjourn

The meeting was adjourned at 9:50.

Minutes submitted by Donna Griffiths