

JOHNSON SELECTBOARD MEETING MINUTES
ALL PARTICIPATION BY ZOOM TELECONFERENCING
MONDAY, JUNE 15, 2020

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Rosemary Audibert, Brian Krause, Lisa Crews, Shayne Spence, Dan Noyes, Charles Gallanter, Diana Osborn, Diane Lehouillier, Jeff Bickford, Jessica Bickford, Joie Lehouillier, Tyler Whitcomb, Lois Frey, Walter Pomroy, Bretton Gardner, Greg Tatro, Cal Stanton, Alison Link, Beth Foy, Eben Patch, Hannah Miller, Kim Dunkley, Lottie Roozkrans, Offie Wortham, Rick Aupperlee, Daryl West, Jackie Stanton, Rob Rodriguez, Athena Parke, Casey Romero, Jasmine Yuris, Scott Meyer and two other community members

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

3. The board added signing of contracts with NEMS, the sheriff's department and the GIS provider, an update and possible action on the Clay Hill project we are doing with UVM, possible approval of a fireworks permit, and a report on the status of the talc mill property river access.

4. Review and Approve Minutes of Meetings Past

Nat moved to approve the minutes of June 1, 2020 with the date corrected, Mike seconded and the motion was passed.

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

Rosemary had previously sent out the budget status report. Eric asked if she anticipates getting near 100% of budget on expenditures. Rosemary said she thinks we probably will. She hasn't seen the grader bill yet. Mike said he talked to the mechanic who was working on the grader and the bill will be less than Rosemary is anticipating, only about \$5,000. Rosemary said delinquent taxes for the current year are \$136,253 (97%), about the same as last year.

Rosemary said we got a quote from Union Bank for a loan for the tractor we are purchasing. They offer a 5-year loan with an interest rate of 1.85%. **Nat moved and Doug seconded to approve a 5-year loan from Union Bank for \$78,138 at an interest rate of 1.85%. The motion was passed in a roll call vote with Mike opposed and all other board members voting in favor.**

Rosemary said the setup fee for online property record cards is \$200 and the yearly cost is \$500. The online cards will be very helpful to attorneys and real estate appraisers. They can be linked to the town website. Board members agreed this would be helpful. **Mike moved and Nat seconded to authorize paying the fees for online property record cards.** Doug asked what information goes on the cards. Rosemary said there is less information than on the old property tax cards, but they will be helpful for appraisers and attorneys when they do title searches. **The motion was passed.**

Moog's Joint has requested an additional outside consumption permit for an area out front where they put picnic tables. They already have an outside consumption permit for the back side. **Mike moved to approve the outside consumption permit for Moog's Joint, seconded by Doug.**

Eric typically outside consumption would have to be in a fenced-in area that is less accessible, but the state has relaxed the requirements due to COVID-19. Nat asked, when the emergency order is over does this continue on? Eric said he believes it will be rescinded then. Rosemary said it will go back to the original outside consumption permit. **With Doug's agreement Mike amended his motion to make the outside consumption permit temporary until the governor rescinds the COVID-19 emergency order.**

Alison Link of Healthy Lamoille Valley said Healthy Lamoille Valley has been doing a lot of work on this topic. It is important to consider the impact of outdoor consumption licenses. The town has the power to make decisions on whether the area must be roped off, what time frame the permit is good for, whether the area must be tobacco-free, make sure there is good signage and clear access, and clarify how people exit and how the area is monitored and if there is lighting after dark. Jessica said the town can control how many tables there are in the outside consumption area. Alison said those are some of the things Healthy Lamoille Valley recommends towns consider. They also recommend that towns consider the impact on social norming. Towns also have a say in what temporary curbside alcohol delivery looks like.

Mike asked if Allison is comfortable with the changed motion. She said she thinks it is very important to make the permit temporary. The board may also be interested in pursuing strategic thinking on the topic of outdoor consumption licenses and might consider some of the other questions she brought up, such as time frame, number of tables and how the areas will be monitored. Nat said he thinks a larger strategic conversation would be good. It will also be important when marijuana becomes legal. He would like that kind of discussion in the future.

Diana Osborn commented that the Moog's Joint parking lot has been full lately and increased use may make it dangerously crowded. Brian said he has spoken to Tom Moog and he shares those concerns. He is mindful about how many people he puts in the space and he runs below capacity. Brian is not sure why the parking lot is ending up with so many cars. He was there on Friday and it was not especially crowded but the parking lot was full.

Doug asked, isn't this a substitute for the ability to eat in? Is the idea that this permit will increase consumption in the community?

Jessica Bickford said there definitely is a concern about the level of monitoring. You have to order alcohol with food but not in a one-to-one ratio. There is the potential to overserve customers. And more than one drink is being packaged in a container, which increases the likelihood of overserving. Healthy Lamoille Valley has been working with the Department of Liquor Control on an information piece for restaurants about safe practices.

Kyle said when we have the larger conversation she suggests we invite Tom Moog to be part of it. He will have some insights for us they could be beneficial.

Nat asked, this outside consumption permit is rescinded when the governor's orders on curbside consumption are rescinded? Mike said yes. Eric noted that the governor just extended the state of emergency until July 15.

The motion was passed.

Rosemary had provided two lists of abatement requests. One list is of people who are delinquent only for the fourth quarter of taxes and the other list is people who are delinquent for more than that. The board first considered the list of those who are delinquent only for the fourth quarter. Nat said he thinks it has been our intent all along to abate interest and penalties. **Nat moved to abate penalties and interest on late property tax payments for those requesting abatement who are delinquent only for the fourth quarter, Kyle seconded and the motion was passed.**

Next the board considered the other list. Mike asked, these people don't fall under our original intent, do they? He thought the main emphasis was on the fourth quarter. Rosemary said only the penalty and interest on the fourth installment is shown on the list. Doug said he wonders if we couldn't address their requests when they pay their taxes. Mike said he thinks that would be a better time to do it. Nat said he is not seeing the distinction. Presumably these people were having a hard time anyway and then COVID-19 came along. Why not uniformly apply the break we are applying to others? Doug said he is not saying we should not give them a break, just asking them to pay first. Eric said we would not forgive the other past due amounts from before the fourth quarter, but why not forgive fourth quarter penalties and interest up front like we did for everyone else? Mike said he can go along with that. Doug said he doesn't have a big problem with that. **Nat moved to abate fourth quarter penalties and interest on late property payments for the remaining property owners requesting abatement, Mike seconded and the motion was passed.**

Nat moved to authorize the chair to sign the orders as presented, Mike seconded and the motion was passed.

6. Road Commissioner/Road Foreman Report and Action Items

Brian Krause said we got the new tractor last week. The shoulder reclaimer works well with it and the mower works much better on this tractor than on the village tractor.

Brian K. said for the UVM project they are willing to give us a grant to replace a culvert on Clay Hill. We would remove the culvert and put riprap down to the existing creek. UVM wants to use 3D images of the erosion and compare it to a control culvert up the hill where we won't do anything. They want to make sure spending money to do these projects is worth it.

Brian K. said the cost of fixing the grader turns out to be about \$3,500. It just needed to have a couple of bearings and seals replaced. It was nice using the mechanic who fixed it. The work was done in our shop with a town employee helping him, which helped the cost a lot.

We didn't have to put in a remanufactured transmission. It was very beneficial that Ray didn't continue to run the grader when he heard the noise.

Kyle asked who is responsible for grading the drive around the village green in the parking lot area. Brian K. said we really don't have anything small enough to get in there and grade it. He is not sure who has done it in the past. Brian S. said he doesn't think we have tried to take our grader in there before. Kyle said it is in rough shape and she would like to figure out who has done it in the past and if they could do it now.

Doug said he spoke with Rob Moore of LCPC about the UVM study. Part of the information they are after is pertinent to our Class 4 roads. They are looking at what it makes sense to do on Class 4 roads – what kind of return you get for your money and if you would be better off putting the money elsewhere if you want to affect Lake Champlain. Brian S. said the study is really important for future decision making statewide and it is great that we get to participate.

7. *Opening 2020 Paving Proposals*

Brian opened the paving bids. Bids were received from Pike Industries and Whitcomb. He read the unit prices, the number of tons estimated and the total price for each bid.

Brian said we are out for a paving grant. We are due to receive one as we haven't claimed one in a few years. We have applied for \$142,333, based on an early estimate for the cost of paving. We would get 80% of that. Eric said that comes pretty close to covering the cost of both these bids just with the grant. Brian agreed that both the bids received fall under the amount of the grant.

Eric asked, would we just go a little further with the money we budgeted? Brian said if we wanted to pave more we would have to file a change of work order. Eric said let's say we had budgeted \$100,000 for paving and we got a grant for \$100,000. Then between the two it seems we should be able to accomplish about \$200,000 worth of paving projects.

Mike said he thinks we should take the grant and make it whole with our money and maybe keep any extra money on hand because the future is uncertain. Maybe we should put other paving on hold a little. Eric said that is a good point. Nat agreed. Doug said he is with Mike unless we have some paving to be done where a stitch in time would save nine. He is wondering if there is anything calling out that needs to be done.

Eric asked when we will know if we get the grant. Brian said hopefully soon. His recommendation is to delay awarding the contract until we know what is happening with the grant. The state is facing a lot of shortfalls. Eric said we can't do this work if we don't get the grant. Brian agreed that given the budget realities it would be inadvisable to pay for this paving without a grant. The board agreed to ask the bidders if they will hold their prices until we find out if the town is getting the grant. Bretton Gardner from Pike industries said Pike will hold their bid price until a decision is made. Tyler Whitcomb said Whitcomb will do the same. The board agreed to wait to take action until finding out about the grant.

Greg Tatro asked if the deadline specified in the application is a problem or will be extended automatically. Brian said the grant application was made before COVID-19. Our estimated

date of completion is much further out now. But he doesn't expect it to be a problem. The typical grant deadline is 2 years, so moving out our completion date would probably be okay as far as the grant is concerned. We would put in a change request saying that the project will take longer than anticipated.

Offie Wortham asked how the board will decide who the winning bidder is. Who makes that decision and what is it based on? Eric said it will be based on past performance, what each company is anticipating for the work and whether the board feels one bid is less accurate than the other as well as the bid price.

8. *Review and Discuss Class IV Roads Policy*

Eric asked if the board wants to postpone discussion on the Class 4 road policy because so much is on the agenda. Brian said Rob Moore from LCPC can attend a future meeting and give us information on hydrologically connected road segments, which will affect what we want to do. He thinks that is an essential piece and it is appropriate for us to delay. Doug agreed. He said he had a long conversation with Rob Moore. He thinks a crucial piece of information will be the study Meghan Rodier has been doing on hydrologically connected roads. That is a major factor to consider. Due to MRGP, it will cost us to keep roads if we have to spend money on roads for which we won't collect anything from the state. He would put off this discussion even further than the next meeting. Brian said we might be able to get a small update at the next meeting but he thinks there will be questions that will take longer to resolve. The board agreed to table this discussion until a future meeting.

9. *Review and Discuss Building Permit Ordinance*

Brian said he tried to accommodate the recommended changes and questions that came up at the prior meeting. He removed quite a few sections. He added an exemption for replacement of a structure with a similar structure. He eliminated quite a bit of what is required to be submitted with the permit and added details about what the process could be. Permittees have a year to complete the project and if they do not complete it in that time we would extend the permit. The permit can't stay open permanently. Once the project is completed the owner gets a final permit. In the introduction Brian took out references to maintaining rights of way and utilities to focus on equity and fairness of property taxes. He doesn't think the statute Charles Gallanter referred to last time applies. But we should get legal review regardless. He is not qualified to say for certain.

Doug said in discussing replacement with a similar structure he thinks we should tie it to footprint and number of bedrooms. Nat said that is a good point.

Doug said there is a really large need for this ordinance with regard to taxes. But our citizens have had no experience with this and will have no understanding of it at first. He suggests having penalties kick in six months after the ordinance is in effect so we have more ability not to punish people who didn't know about it because it is completely new to them. Nat said he thinks we should give it a full 12 months before penalties kick in.

Doug said he thinks he and Brian disagree about having the permit expire after one year. And he thinks that when property owners apply they ought to get the informational permit immediately. That is when we should issue the permit and we should ask them to please let us know if they decide not to do the project. Eric said all we want is a heads up that someone

is going to be doing something so the assessors can check it out. If they haven't done it, who cares? Doug said Brian didn't want the assessors to have to go out time and time again to see if anything had been done but he thinks the burden of having a permit terminate is greater. Eric said he would think the assessors would collect all permits and do a one-time drive through in the spring to all sites.

Brian said he spoke to assessor Robin Chapman. Quite a few towns with permits like this qualify them on a year. Assessors would probably go out in the fall and spring to check on permits in process and would close them out once the project was completed. Having everything expire after a year gives us a better idea of permits that are open. We can keep extending the permit if the owner intends to complete the project. It helps us avoid situations where a permit was issued for something that has been forgotten or delayed.

Doug said this permit gives us information that someone intends to do something. It is not a permit for them to build. Is there anything that says they can't build without a permit? Brian said the ordinance says permits are required when executing the listed actions. Doug asked, can we get an injunction against the owner for building without getting an informational permit? Nat asked why we would do that. Doug said we wouldn't. He is concerned about titles if a building is built without a permit. He wants to restrict consequences to a civil penalty and not impugn people's titles.

Mike said it was mentioned that we should go to an attorney. It started out simple and now it looks like back door zoning. He thinks we should turn it over to the Planning Commission to look at it. Doug asked if Mike thinks they have the expertise. Mike said he thinks they have as much as the selectboard does. Doug said it would still come back to the selectboard to make a decision and he doesn't think it falls under what the Planning Commission usually deals with. Eric said he agrees with Doug. We can ask the Planning Commission to look at the ordinance and see if there is a different way to accomplish what we want, but that could take time and we need to get something out sooner than that to help the assessors. Mike asked if this is really a big problem. Eric reminded him that Robin talked to the board about the problem. Brian said management from NEMRC also appeared and said it was a real challenge for them, that they were spending more time on Johnson because it was difficult to track new building. Kyle said there is also a safety issue that we should take seriously.

Charlie Gallanter said based on everything he knows about real estate valuation a kitchen or bathroom remodel is worth a lot more than adding a bedroom. He thinks dwelling on the number of bedrooms is a specious argument. He is skeptical of the comments from the assessor. He would ask that the board hold off on a on a decision on this ordinance until the state of emergency is lifted. The board can expect a petition and he would ask that the board hold off until people can go door-to-door collecting signatures.

Donna Griffith's asked, don't equity and fairness mean the same thing? Brian said they are similar but not the same. He could take it either way but he doesn't think they mean exactly the same thing.

Diana Osborn asked, if the ordinance is approved how will people be informed that this process now exists? Does the method need to be included in the policy? Brian said we would want to do an additional information campaign, possibly a town-wide mailing. Doug had suggested writing into it a forgiveness period for enforcement penalties. Eric said if there are no penalties for a year that would give us time to publish the ordinance in the town report.

The board agreed to look at a clean copy of the ordinance at the next meeting. Brian said Robin Chapman, the assessor, had sent some comments about the ordinance. She pointed out a sentence fragment and she thinks we should remove the requirement to have a roof from the definition of a building and work on a definition of building that includes things like decks. Eric asked if Brian can share her input with the board as well when he presents the next draft. Brian said yes.

10. Town's Stand on Anti-Racism

Brian said the town has received a proposed statement taking a stand on anti-racism and backing up our inclusivity statement. He read the proposed statement:

The Johnson Select Board stands with our town and village's Inclusivity Statement and the fight against systemic racism, white supremacy and the historic oppression of the black community. We believe that Black Lives Matter and remain fully committed to being proactive as leaders in standing up to and publically rejecting any racism and bigotry in our community. We are committed to listening and learning from our Black, Brown, and concerned citizens. We are committed to working with the Lamoille County Sheriff's Department and our legislators to deconstruct all policies and laws that create and amplify racism and poverty in our community. We are committed to continuing to fund and organize educational programming on racial justice, and racial bias for all Johnson residents and the surrounding communities. "We REJECT racism, bigotry, hatred and violence in all its forms."

Offie Wortham said that he believes the town should say black lives matter and all lives matter. To completely ignore the reality that all lives matter is an affront to everyone. Of course black lives matter and all lives matter. Only saying that black lives matter is alienating a large section of the country. It's racist.

Rob Rodriguez asked why we need the additional statement. He thought the inclusivity statement said it all. It says we reject racism. Why do we need more?

Athena Park suggested adding "Indigenous" after Brown in the sentence, "We are committed to listening and learning from our Black, Brown, and concerned citizens."

Kyle said this is a statement she wrote and proposed we discuss tonight. It's a commitment statement she wrote in response specifically to black Americans being murdered every day in our country at the hands of white police. It is a commitment to continuing to uphold the work we have already done for the people of Johnson around racial justice, a commitment to listening and learning and believing black, brown and indigenous people, a commitment to accountability for the selectboard and the people and institutions we elect and employ to create policies and laws, a commitment to working with our legislators and sheriff's dept to

dismantle and reimagine the policies that for centuries have marginalized black people, a commitment to continue to challenge implicit bias and for the selectboard to use their positions of power to make meaningful and bold actions, not only to reject racism but to change the very systems that perpetuate it. For her it is a very proactive and positive statement that outlines the selectboard's necessary next steps as leaders in this town. She thinks, to echo what Bor Yang said in the last community Zoom call, it is actually hurtful to many black people in this country to say all lives matter when currently and historically black lives have not mattered in the same way. One way she finds it helpful to understand is to add "too" at the end of "Black lives matter." Of course all lives matter but "Black lives matter too" is an important thing to say.

Jen Burton thanked Kyle for bringing the statement forward. She thinks it is important and she supports it. She suggested a helpful analogy. When someone's house is on fire you don't say, "What about my house?" or "What about all the other houses?" You need to deal with the problem at hand. She feels that is a good analogy for why people say black lives matter. Black people are the ones being challenged right now. It's not everyone else's house that is on fire.

Beth Foy said she thinks the town selectboard should be very careful about calling out specific groups of people. She thinks the inclusivity statement is great and she supports it. She personally hurts for black America. She also knows there are a lot of other issues in our society, like women's rights. She will actively work toward anti-racism personally. She constantly challenges herself on her own biases. But she thinks the statements the town writes really matter and the town has to be careful about calling out specific groups of people. She is not sure she supports this particular effort as it relates to the town.

Jeff Bickford said what he most appreciate about this effort and what he thinks sets it apart from the inclusivity statement is the commitment to continuing to fund and organize educational programs on racial justice and racial bias for all Johnson residents and surrounding communities as well as the commitment to working with the sheriff's department and legislators to deconstruct policies and laws that create and amplify racism and poverty in our community. What really sets it apart is that this is a distinct effort in terms of trying to identify and then correct things that are within the town's control that may contribute to systems of oppression. That work may not only apply to people with black or brown skin or indigenous people. He thinks that is the strength of it – identifying and fixing things in the town's control that perpetuate racism. From that perspective, he supports this.

Joie Lehouillier said as a business owner and person in the town she wants to be able to put her business and herself out in the world the way she wants. She wants to work on herself. She feels the inclusivity statement is a good way to be for the town.

Jackie Stanton thanked Kyle for writing the statement. She said we are at a historical moment in our country's history. A couple of people are talking about their personal efforts, but this is a community statement. This is our way to speak to our beliefs, values and intended actions. She thinks it is a terrific statement. She wishes some people commenting tonight had had the opportunity to hear Bor Yang speak last week. She is an expert. She is the executive director

of the state Human Rights Commission. Her opinions hold a lot of weight with Jackie. She thinks Bor Yang would be aghast at hearing the opinion that “Black lives matter” is a racist statement. She supports the proposed statement.

Nat said this is an anti-racism statement. It is not hard to support it. As Jackie said, we are at a historical moment. He thinks we need to pay attention to systemic racism around us. His life has never been diminished by recognizing the worth of another.

Doug said during his life he has watched various groups move to this country and make progress and the people he sees who have been most held back are blacks and indigenous people. There are structural things that we have not recognized. On the way here tonight he listen to the chair of the Federal Reserve make a statement he agreed strongly with that was essentially the same as this proposed statement.

Kyle noted that she forgot the word “discrimination” in the last statement quoting the inclusivity statement. **Kyle moved to adopt the proposed statement with the addition of the word “discrimination” in the last sentence and the addition of the word “Indigenous” after “Brown.” Nat seconded.**

Nat said the part about working with the sheriff's department is important. He has been in some conversations with Roger Marcoux on these issues in recent weeks, getting more information on what practices and policies are in place and what the law enforcement community in Vermont is doing to modernize and respond in a positive way to these actions and be more accountable to the public. He expects we will hear more about that in the days and weeks ahead and have opportunities to discuss it with law enforcement.

The motion was passed.

Brian said Be-Longing for Justice is requesting that the Black Lives Matter flag be flown at the municipal building. **Nat moved that the Black Lives Matter flag be flown at the municipal building, seconded by Kyle.**

Eric said the problem with that is that it is not the town's flagpole. It is a village flagpole on village property. The request would need to go to the village trustees.

Nat said he is sure we could find a place to put a flag up in the town but the flagpole outside the municipal building would be the best place. There are three poles there and there are currently two flags flying. One is a state flag that is in tatters and that he has asked to be replaced.

Eric asked for the motion and second to be withdrawn and for Brian to let Be-Longing for Justice know that they need to make the request to the village trustees.

Kyle said this seems crazy to her. The flagpole is in front of a jointly owned building but we have no control or say over the flagpole? Can we revisit that? Eric said the spot where the flags are was originally village property where they had their water and light department. The

fire department took it over and around the same time the town and village together acquired the property where the municipal office building was built.

Nat noted that people like Mitt Romney are saying that black lives matter, which demonstrates that is not really a crazy, left-wing thing to say.

Shayne Spence had submitted a proposed proclamation declaring June 19th a town holiday. Shayne said it was based on the proclamation the Town of Hartford recently passed. Naming June 19th a town holiday would be largely a symbolic gesture but he thinks it would be worth making right now. The proclamation talks about the history of June 19th and why it is important to celebrate.

Eric asked, the proclamation would not be for this coming Friday but for the future? Shayne said he would hope that if the proclamation were adopted tonight it would be in effect for this coming Friday but there is not time to organize any events for this year.

Nat said he did not see the proposed proclamation before the meeting and he is reluctant to adopt something that he hasn't had time to read yet. Mike agreed.

Kyle said she is personally in favor of adopting this proclamation tonight. She agrees that this is another good proactive step that is not a big ask. She thinks it is an important thing to do. There is no time to do anything formal for this Friday but she knows there will be things happening in town. Kyle moved to adopt the proposed proclamation making June 19th a town holiday. The motion failed for lack of a second.

Scott asked how the selectboard would feel about putting up the Black Lives Matter flag if the town did have ownership over the flagpole. Mike said that is a hypothetical question.

Cal Stanton suggested putting the flag on town property. Eric said he would not support that. Kyle asked why. Eric said he wouldn't support politicizing a flagpole by putting up any flag other than a US or Vermont flag. Nat said he supports it. Kyle suggested putting it on Legion Field. Nat said that seems like an obvious choice.

Scott said he intends to bring this request to the trustees and he would like to tell them that it has the support of the majority of the selectboard. He would love to know how the board feels so he can go to the trustees and push to get this done.

Kyle moved to put up a Black Lives Matter flag on Legion Field near the bread oven with the hope and intent to move the flag to the pole in front of the municipal building pending village approval. Nat seconded.

Doug said he would like Nat and Kyle to consider the various properties where the flag could be placed before deciding whether it should be put on Legion Field or if somewhere else would be better. He thinks this requires more thought. He doesn't know what place would be the best.

Jackie Stanton said a flag communicates broadly and widely every time someone walks or drives by. Only a few people will read a statement. The flag is flown for people who live in town, visit or just pass through. That is why she feels a flag is so impactful. Kyle said she would add that that is why it is so important that the flag is visible and not tucked away somewhere people can't see it.

Cal Stanton said he is not sure if Doug was suggesting putting the flag on private property. He thinks it is important for the town to be clear about where we are and to be on the right side of history. He thinks it is important that we put it up as a town in unity. Was Doug suggesting putting it up on private property? Doug said no, on town-owned property. Possibly on Legion Field or at the cold spring or the athletic fields or at the point where you come into town.

Walter Pomeroy asked what we are doing for other flags we might want to fly.

The motion failed in a roll call vote with Kyle and Nat voting in favor and Doug, Mike and Eric opposed.

11. Town Revolving Loan Fund Application – Jenna's Promise

Brian said an application for a loan for Jenna's Promise has been reviewed by him and by John Mandeville and John Mandeville recommends that we make the loan for \$50,000 to Jenna's Promise with our standard interest rate and loan period. An additional recommendation from John is that the Tatros provide a personal guarantee of the loan, which they are willing to do. This gets us close to the amount we have to have loaned out. We would need to loan out about 20 to \$30,000 more.

Nat explain to those in attendance that this is a \$250,000 revolving loan fund owned by the town. We loan out money for improvements in the town. We are mandated by law to have a certain amount loaned out at all times.

Nat asked the length of the loan. Eric and Brian said they believe it is 5 years. Brian said he thinks our interest rate will be at the floor. He will do a last check on interest rates. Our interest rate is 2% below prime with a floor of 1%.

Greg Tatro said the loan will be used for the building in back of the coffee shop. It is being purchased from the Whittemores. It helps connect the coffee shop and gives more parking in back. He is working with some people who want to do a sober home there.

Kyle asked if this is something that went through the review board. Brian said it did not; it was only reviewed by himself and John Mandeville.

Kyle asked where Greg is with the Community Block Grant. Greg said Jenna's Promise presented last week. Brian Story was there. They are supposed to get an answer no later than July 6.

Nat moved to approve a loan from the revolving loan fund to Jenna's Promise in the amount of \$50,000, seconded by Mike.

Shayne Spence thanked the selectboard for all it has given to Jenna's Promise. He said as someone who is in recovery it makes him feel good to know that his community is accepting and welcoming to people like him. Many people in recovery struggle with where to go when they are sober.

The motion was passed

12. Proposal for Smoke-Free Parks – Old Mill Park

Brian said Healthy Lamoille Valley is offering assistance with making Old Mill Park a smoke-free park. Lisa Crews said Jessica Bickford spoke to the Recreation Committee and the Recreation Committee decided they would be in support of making Old Mill Park smoke-free. They are not sure they are comfortable making the same decision with other town properties. Brian showed a draft of what the signs at the park could look like.

Alison Link said there is a lot of rationale for smoke-free public areas, which includes norming. What kids see becomes normal for them. Smoke or vape free areas provide modeling for youth. There is a health impact from second hand smoke and second hand vape. There is also an environmental impact due to toxins from cigarette butts and the problem of seeing cigarette butts around. A container for cigarette butts was placed at the skatepark last year. There are towns that make all their parks substance-free. The town could put in place penalties such as ticketing but really this is about community empowerment and enforcement. One person can see the sign and feel empowered to ask someone else not to smoke. It gives them confidence to say something.

There was a suggestion in chat that the sign could say there is no smoking for those under 21. Alison brought up the issues of secondhand impact, environmental impact and norming.

Another community member asked about alcohol. Alison said the proposed sign does not refer to alcohol but some towns have substance-free spaces. That is something to consider for the future.

Nat said he thinks it is a good sign. He appreciates that language about cleaning up after your dog.

Eric asked, why would we only do this for one park? Why would all of our parks not be smoke-free?

Cal Stanton said smoking is legal and prohibiting smoking for those under 21 seems more reasonable.

Jeff Bickford said he had the same question as Eric about why this would not apply to all parks.

Nat asked, this is coming as a recommendation from the Rec Committee, is that correct? Lisa said the Rec Committee would like to recommend that Old Mill Park be tobacco, vape and marijuana free, primarily to keep the environment clean for athletes and families enjoying it.

Nat said if that is the Rec Committee recommendation he is supportive of it. Our different parks serve different functions. One is more focused on athletics and the other on events.

Eric mentioned Beard Park. He said there have been complaints in the past about smoking on Legion Field during Tuesday Night Live. Most of the people going to the skatepark are kids who shouldn't be smoking. He thinks this is a great idea and wonders why we would not include all parks.

Casey said the skatepark was initially entirely tobacco-free but the Skatepark Committee got requests from parents who need to take a smoke break and weren't comfortable leaving the park and leaving their kids unsupervised. The skatepark committee decided that since smoking is legal they would ask people to keep smoking off of activity areas and they provided a container for butts. There are signs that come and go asking people to please control the tobacco and cigarette litter. The skatepark is posted to be alcohol-free but people disregard that pretty blatantly, which is more of a problem.

Eric asked, would there be the same problem with parents wanting to take a smoke break at Old Mill Park? Lisa said she supposes it could come up as an issue. To her the idea of the sign is that it provides an easier way to have a conversation with someone if their smoking is bothering you. The park is a big place and most of the time someone who wants to smoke can find a place to do it. The committee thought they would give smoke-free a try versus having a smoking area and see what happens.

Mike moved to put up signs making Old Mill Park smoke-free, seconded by Doug and the motion was passed.

13. Proposal for Modified Recreation Coordinator Hours

Brian said he and Lisa have had discussion about the rec coordinator position. The position as envisioned involved planning and conducting activities that are currently suspended. So far there have been enough things for Lisa to do to maintain her hours and do productive work for the town but it will become an issue. He and Lisa would like to schedule some projects for her to work on which would result in her working a few less hours a week. He showed the board a proposal for a modified work schedule. Brian said he supports this because it gives us flexibility when activities reopen later on. We may have to scramble to get activities going again and reduced hours now might allow to afford a few more hours per week then.

Kyle asked, is this something Brian and Lisa both came up with? Brian said yes. Kyle asked, Lisa is in support of this? Lisa said yes. It looks like there will be a considerable shortfall of money for next year. Instead of spending time building up new programs that might not fly they thought it would be prudent to reduce her hours now and revisit them in September, basically just postponing summer for a year.

The proposed schedule reduces her hours from 24 to 12 during July and August. Brian said he suspects it would be easier for Rosemary to do the calculations if we do not modify the share of Lisa's insurance that we are paying for. If we adopt a modified schedule with

anticipation that she will go back to working 24 hours once we can have sports again he thinks it would be easier just to leave her insurance as it is. Mike and Eric agreed.

Doug asked, didn't we pay the public works department fully when they weren't able to work? He thinks this is wonderful on the part of Lisa but he wants to make sure she is not going to use the time to look for another job because we want to retain her. Lisa said she is not going anywhere. Brian said this proposal in no way reflects our satisfaction with the job Lisa is doing. She has done an excellent job with Johnson recreation, assisting with community meetings and being a resource for the COVID-19 emergency response team.

Doug moved to adopt the proposed modified work schedule for the recreation coordinator, Kyle seconded and the motion was passed.

14. River Access at Holmes Meadow

Brian said Noah Pollock is ready to work on both fishing access sites and David Butler is ready for us to work at Holmes Meadow. The Holmes Meadow access will include a sign at the end of the road and we will mow a strip along the tree line to provide access. The access will be around where we put the excavator into the river when breaking ice a couple of years ago, which had the side effect of smoothing out the bank there. Doug said at that site knotweed will be cut and a sign will be put up but no steps are involved. He reminded the board that David Butler offered to trade two fishing accesses and a path for a Class 4 road we didn't know existed. Doug said Noah will be coming in the third week of June to work on the staircase for the other access site. We have been informed that the state will issue an administrative amendment allowing installation of stairs on the steep bank there and the village has given permission to go ahead. This board has already approved the fishing access ladder contingent on village approval, so approval is only needed for the Holmes Meadow site.

Mike moved to approve the river access project at Holmes Meadow, Doug seconded and the motion was passed.

15. Accessible Trail Improvements at Beard Recreation Park

Brian said the Conservation Commission would like to pursue a plan to improve accessibility at Beard Park. Lois Frey said they are working with Noah Pollack and they have a plan. They just need approval from the town to apply for \$7,000 in grant funds. The Conservation Commission has approved the proposal.

Mike moved to authorize the Conservation Commission to seek grant funding for an accessible trail at Beard Park.

Nat said the trail is a good idea. He asked, we are not on the hook for any matches or anything at this point? Lois said there has been mention of the town providing a match of in-kind services worth about \$800 by bringing over rocks, etc. Nat said that seems like a good deal in order to leverage \$7,000.

Nat seconded the motion.

Kim Dunkley asked what kind of trail it is. Is it a bridge? Lois said it will start at the far end of the parking lot and go down to the first level where the picnic table is, loop around and reconnect and go back up. It is ADA approved as an accessible trail. It would provide a way for seniors and those in wheelchairs to get down there.

The motion was passed.

16. *Municipal Office Construction and Remodeling Projects*

Brian said our planned construction project for the municipal building this year was working on the clock tower. Historically our exterior projects have mostly gone over budget and been more complicated than expected, so he recommends against proceeding with that plan and recommends prioritizing some smaller projects. He and Meredith brainstormed ideas but the village has not formally heard this proposal. Brian and Meredith thought about working on the sidewalk in front of the building. Eric also suggested that we have long wanted to do some work inside the building that is difficult due to constant use and this might be a good opportunity to do that work.

Doug asked if we will be in a much worse position if we defer the clock tower work. Brian said he doesn't think so. He thinks we have hit all the critical areas on the exterior. The problems with the windows were much more damaging than we had realized. He thinks some roof work we had done will eliminate the leak problem. He thinks there will be no substantial difficulties from waiting a year to do that work.

Mike said he thinks the biggest priority is the sidewalk. There are some really uneven spots there. He thinks that should probably be taken care of first and redone to make sure frost doesn't move it around as it has in the past. He also thinks we should fix the patio area, which looks terrible.

Eric said the hardwood floors upstairs have never been redone and they need it. We have never been able to schedule it because the building is always used so much.

Brian said office staff have asked if we could put in a new service window before reopening the building. Right now the window opens side-to-side and doesn't really conform to advice we have been given about protecting against COVID-19. Eric said he believes the trustees approved spending up to \$500 to have a new window installed. Brian said that is correct.

Mike moved to approve spending up to \$500 for the town's share of a new service window for the municipal office, Nat seconded and the motion was passed.

Eric said Meredith has to take the other items to the trustees. After that Meredith and Brian will get back to the boards. Brian asked if the selectboard wants to share any priorities. Eric said he thinks the floors and the sidewalk are our priorities. Mike said he thinks the sidewalk should be done first. Doug and Kyle agreed that the sidewalk is a priority. Kyle said the Beautification Committee has agreed that the patio area is something they want to beautify.

Brian said employees have requested a new picnic table for use on the patio. We used to have one but it came apart when it was moved during the construction work. Lisa said the

octagonal table recently purchased for Old Mill Park cost \$1,099. A 4-foot poly resin picnic table costs \$649 and a 6-foot one costs \$949 from Lamoille Woodcraft.

Brian said we can ask for a contribution from the village. Board members agreed that should be done.

Lisa said \$649 was the price for a regular picnic table style with attached benches that is 4 feet long. Mike said we need a table big enough for all employees to sit at comfortably. Lisa said we can get an 8-foot table for \$359 if we get a weather resistant kind rather than a poly resin one.

Mike moved to authorize spending up to \$300 for the town's share of a picnic table for the municipal building patio, Kyle seconded and the motion was passed.

17. Letter of Support for Broadband and Communication Union District State Legislation

Charles said this item is moot because the bill in question is almost out of the Senate.

18. Light Industrial Park Update

Brian said he is expecting to submit our final application for the grant for the light industrial park in the next few days. Eric asked when we would hear if we are awarded the grant. Brian said we would find out within 60 days if we are going to advance through the process. The option we are pursuing now is the faster one of the two that were available. This is a grant from the Economic Development Authority. We are filing our application as a response to the ice jam disaster. Our claim is that by developing out of the floodplain we make the town more resilient. We are asking for a little over \$1 million for construction of road and utility access. Seth Jensen has been instrumental in getting the application ready.

Nat said he has gotten feedback from people asking about the status of that property. Discussion of the status usually comes at the end of meetings is often not detailed. There is still some concern about transparency regarding what is going on.

19. Contract Signing

Mike moved to authorize Eric to sign the FYI 21 NEMS contract, the FYI 21 Lamoille County Sheriff's Department contract and the FY 21 GIS contract, Nat seconded and the motion was passed.

20. UVM Project Grant Agreement

Brian said we are expecting to receive the grant agreement for the UVM project on Clay Hill any day now. He would like board authorization to execute the grant agreement. **Doug moved to authorize Brian Story to sign the grant agreement with the State of Vermont for the UVM project on Clay Hill Road, Kyle seconded and the motion was passed.**

21. Fireworks Permit Application

Brian said we received a fireworks permit application from David Lefevre, who would like to have a fireworks display at 2403 Route 100C on July 4th. They have informed their neighbors and have letters signed by their neighbors. The application is complete. However the application did not come in as early as our ordinance requests so they would have to be granted a variance. The start time is 8:30, the end time is approximately 10:00 and there is a rain date of July 5th at the same time.

Nat asked if it is a professional display. Brian said no, but they are following good guidelines. There will be a spectator area 100 yards from the launch area. Fireworks will be stored on a pallet away from the launch area and there will be a firefighter in attendance. They have a plan for cleaning up the area and unexploded shells will be submerged in water until the following day. Nat asked if we have to notify the sheriff's department and the fire department. Brian said the permittees have to.

Mike moved to authorize a variance for David Lefevre, allowing a fireworks permit to be issued even though the permit application was received later than specified in the ordinance, Kyle seconded and the motion was passed in a roll call vote with Kyle, Mike and Doug voting in favor and Nat opposed..

Doug asked if the permittees control the landing area. Brian said they have a plan described for the landing area.

Nat said he has never felt our ordinance on this was very smart. He never liked how it was worded. He doesn't feel comfortable approving these unless it is a professional fireworks display. Mike said maybe we need to tighten up the ordinance. Eric said he recalls that there were reservations about approving any fireworks requests. But this one seems well-managed. Mike asked, we are held harmless, right? Eric said we can be sued for anything.

Doug moved to approve a permit for David Lefevre to have a fireworks display at 2403 VT Route 100C on July 4th, seconded by Mike.

Doug said he has the same hesitancy as Nat but it is our duty to process these applications under our ordinance. He thinks it is our duty to our citizens to apply our ordinance. Eric said we probably do need to revisit this ordinance.

The motion was passed in a roll call vote with only Nat opposed.

22. Adjourn

Eric noted the good attendance at this meeting. Doug said he thinks that is a good argument for continuing to provide Zoom access when we can resume in-person meetings. Nat and Kyle agreed.

The meeting was adjourned at 10:36.

Minutes submitted by Donna Griffiths