

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

Present:

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

Others: Brian Story, Rosemary Audibert, Brian Krause, Eben Patch, Greg Tatro, Michael Fedolfi, Rob Moore, Scott Meyer, Chad Letourneau, Lois Frey, Beth Foy, Rick Aupperlee, Bob Lindemann, Jeff Bickford, Diane Lehouillier, Rhoda Vis, Pam Aupperlee, Shayne Spence, Walter Pomroy, Charles Gallanter, Marla Emery, Jasmine Yuris, Phil Wilson, Cal Stanton, Jackie Stanton, Lotty Roozkrans, Bob Lindemann, Ken Tourangeau, Rob Rodriguez, Chad Letourneau, Beth Foy, Rick Aupperlee, Marshall [last name unknown], Kyle [last name unknown], [first name unknown] Fedolfi, Spencer [last name unknown]

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 7:02.

2. Additions, Changes to Agenda

Eric added Charles Gallanter's resignation from the Johnson Fiber Committee and discussion of whether to continue that committee. Mike said he would like to pass on thanks from Julia Mingledorff and he heard from someone who would like an update on Scribner Bridge. Doug asked for discussion of how to encourage participation in LCPC's broadband survey.

3. Review and Approve Minutes of Meetings Past

Brian said the minutes of July 6 were not yet available.

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

Rosemary said she assumes the board wants her to apply the balance not spent on paving last year to paving in the current fiscal year. That amount is about \$70,000. Nat asked, is that why our summer roads budget is 43% spent? Rosemary said yes. She said expenditures are about 93% of budget to date. The total of delinquent taxes for last year with penalties and interest is \$123,612.

Rosemary said the tax rate for Johnson has not been published yet. Eric asked, so we can't set the tax rate tonight? Rosemary said no.

Rosemary said we have sent out about 350 absentee ballots for the primary.

Rosemary said it was announced that \$2 million from the CARES act will be available for digitizing land records. One stipulation is that everything has to be completed by the end of the year. Does the board want her to look into it? She knows there are several requirements for using the money. Nat said it is work that needs to be done. It seems that looking into it is worthwhile. Other board members agreed.

Nat moved to authorize the chair to sign warrants, Mike seconded and the motion was passed.

Eric asked if Rosemary has a plan in place for the primary. She said she is working on it.

Nat noted that bridges and culverts is only 25% spent. He is wondering if we have been doing this work. Brian said that includes money coming out of the bridges and culverts fund for a study on Scribner Bridge that was not undertaken during the last fiscal year. That was rolled over to the upcoming year. We will also see a decrease in the income side because we didn't use that money.

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

Brian Krause said the culvert line item should be pretty much spent. He bought a bunch of supplies before the fiscal year ended.

Brian K. said the high wall reclamation in the gravel pit is going well. It should be reclaimed by the end of August. That will help with runoff and stabilization.

Eric asked how use of PPE and masks is going with the public works crew. Brian K. said it is going pretty well. Sometimes it gets a little lax but employees are trying to follow protocol and we have plenty of supplies. Eric said he is wondering if there is a lot of pushback. Brian K. said it is going fairly well.

Eric suggested this would be a good time for the Scribner Bridge update. Brian S. said FEMA recently was able to move our case forward. They are studying whether we qualify for mitigation. There was a hang up for several months when they were not allowed to do in-person site visits.

Eric asked if we anticipate the project would be done or started by the winter. Brian said he thinks it can be started but it would be harder to get it done. He doesn't know enough about how that project will go to give a good timeline on how long it will take to finish and he doesn't know when we will get approval from FEMA. We are asking for funding for an engineering study on Scribner Bridge so we can apply for a construction grant for repairs, particularly on the abutment area.

Mike said he can't believe it's rocket science to fix the slope to the bridge. He can't believe it would take that long to open that bridge up. Brian K. said he thinks Brian S. is talking about studying the repairs needed to the bridge, not repairs to the road. Mike said the road to the bridge needs to be fixed. It shouldn't take that long. Brian K. said what we are waiting for is the money. Brian said FEMA wasn't able to come out to make a determination on our project until recently because they were not allowed to make site visits. Mike said it is maddening that the wheels move so slowly.

Brian S. said we got a couple of letters today from property owners on Basin Road asking what we are going to do there. The road suffered damage when a culvert got plugged up and water ran onto the road and caused erosion. There is some debate about whether FEMA is going to reimburse us for the damage repairs. The advice we are getting is to go ahead and complete the repairs in advance and then try to recover the costs. Going forward with the work will not be easy because Basin Road won't support all our heavy equipment. We will use lighter equipment and it will be more time-consuming than normal. Repairs are proceeding. There is gully erosion and repairing it is required under the Municipal Roads General Permit. There is some debate

with FEMA about whether they will reimburse us for those costs as it is a Class 4 road and the requirement to make the repairs is a new requirement from the state.

Eric asked about estimates for cost and time. Brian K. said it is not really that much. It will mean a day with the loader and half a dozen loads of material. Nat said it looks like we spent very little on Class 4 roads this past year. Brian K. said he believes that is correct. Nat said the \$2,500 budgeted for Class 4 roads will go a long way towards paying for the repairs on Basin Road. Brian K. agreed.

Mike Fedolfi, a Basin Road resident, said Basin Road residents appreciate the town's willingness to help out. Another concern they have had is that the town had shown interest in changing Basin Road from a Class 4 road to a trail. Is that still on the agenda for this meeting? Eric said there will be discussion of the recommendations the Planning Commission sent for Class 4 roads. We haven't yet gotten to the point of deciding which roads would be thrown up to trails.

6. *Update to Class IV Road Policy and Reclassifying Roads in Johnson*

Brian S. said we are going to have a greater requirement for improvements on Class 4 roads. We need to think about which roads we want to maintain that obligation for. The new requirements are specific to hydrologically connected road segments. We also have to balance the interests of residents on those roads and the public's interest in maintaining access to all parts of town. Rob Moore of LCPC is here to give us some context.

Rob Moore said a road erosion inventory of roads in Johnson has been conducted as required by the Municipal Roads General Permit (MRGP.) Preliminary results indicate a very good compliance rate. There is legislation requiring action to remedy erosion that can send pollutants into Lake Champlain. There are about 920 road segments of 100 meters each in Johnson. More than half are not jurisdictional to the law. More than half of those subject to the law were in full compliance as of the date of the inventory. A little less than half of those jurisdictional to the law were not fully compliant. A majority partially meet the standards and a small fraction don't meet the standards at all. The inventory may be useful to the town when thinking about road classification. He would be happy to provide the Planning Commission a list of road segments jurisdictional to the law and whether they have issues or not.

Eric said if we reclassify a road from Class 4 to a legal trail we retain our right of way, but would the trail still be able to be used by snowmobiles, ATVs and hikers? Rob said his understanding is yes. But he would suggest double-checking the statute to verify. Eric asked if someone had a camp beyond where we have turned the road into a legal trail, they could still drive to their camp? Rob said yes. He is aware of examples from various towns where landowners access their properties using legal trails.

Eric asked, so the big advantage of reclassifying a road is getting the town out of the liability of maintaining the road and meeting obligations with regard to MRGP. If we reclassify a road as a trail, there is no obligation for any maintenance of any type? Rob said yes, in terms of MRPG that is correct. MRPG is only jurisdictional to town road classes 1, 2, 3, and 4.

Doug asked if there is any thought that the MRGP might be amended to include trails, since it is obvious that the hydrological connection won't go away. Rob said he is not aware of any of those conversations. The permit is subject to review and potential revisions every five years. He believes the next review is coming up in 2023.

Nat asked if a legal trail can be upgraded to a Class 3 or 4 road. Rob said yes. The process that allows the board to go down in classification also allows the board to go up following proper procedures.

Charles Gallanter said the Planning Commission wanted to keep Class 4 roads to the last driveway so as not to eliminate anyone's access to their camp. They didn't hear that their charge was to be concerned with hydrologically connected roads, though they did consider that if a road became a trail the town would not need to do culvert and bridge maintenance and that the town would maintain the right of way and could upgrade back to Class 4.

Nat said we got a question about changing to a trail after the last driveway. Does the last driveway mean the last on the Class 4 section of the road or the last before the Class 4 section? Charles said the last on the Class 4 part. They are recommending to change after the last drive whether that drive is for a year-round residence or not.

Doug said the charge to the Planning Commission mentions MRGP. In his opinion MRGP is the dollar issue that prompted this discussion. He thinks the impact of MRGP ought to be reviewed.

Eric said the point where the Planning Commission recommends changing some roads to legal trails is based on today's situation. But there could be properties further on where someone could have the intention to build in the future. If they have always had access to that property he questions changing it. Charles said that is why the selectboard has public hearings. The Planning Commission's attitude was that this is the best they can do. He believes the board has to have a public hearing and notify property owners before reclassifying a road. This is their recommendation based on what they know today.

Doug asked what factors the Planning Commission considered in their recommendations. Charles said they were aware that there are road maintenance costs coming up. They never saw the specifics of the Municipal Roads General Permit. They didn't see the road erosion inventory. They knew there would be costs for maintaining a road as a Class 4 road as opposed to making it a trail. They were trying to save the town money.

Nat said he sees that there is a house at the end of Basin Road but the Planning Commission recommends changing it to a legal trail. Charles said they were working with the state map, which did not show a house at the end. They were not aware there was a house up there. If there is a driveway up there, their recommendation would change.

Doug asked if they consider driveways to camps as well as year-round residences. Charles said they recommend continuing the road to driveways whether they are for permanent or part-year residences.

Doug said he thinks the selectboard will be as busy in the future as it is now. Things don't get on our agenda if we don't have time to do them, so public hearings are a problem. He thinks we have to be careful. He would like to have hydrologically connected portions examined in connection with driveways and other considerations. Charles said in that case the Municipal Roads General Permit and erosion inventory need to be provided to the Planning Commission. He doesn't know that the letter with the charge to the Planning Commission was shared with the entire commission. Brian Story said the road erosion data only recently became available. Apparently the town has newer map data than what the Planning Commission had.

Doug recommended sending the Planning Commission the letter with their charge and the Municipal Roads General Permit. Another consideration is the amount of usage a road gets. The amount of usage Prospect Rock Road gets matters. The presence of the Gomo place matters. Class 4 roads are important as investments for future citizens. Charles said that is why the Planning Commission didn't recommend abandoning any rights of way. Nat said there are three sections that the Planning Commission proposed discontinuing. Charles said yes, but they are on state property. Eric asked why the commission recommended throwing those up. Charles said they wanted to let the state pay for them. Eric asked what we would pay for if we made them legal trails. Charles said there is nothing we can do with a road anyway if it is on state property. Eric said we would still have the right of way. Charles said he is not sure about that. Doug said if we have a town highway and the state acquires land there he doesn't think they get our right of way.

Nat said on p. 3 of the proposed policy it says, "The Selectboard will establish a line item in the Highway Budget and annually propose a sum of money, as in its judgment is necessary to meet statutory required maintenance as well as the maintenance necessary for the preservation of the structure of road structure of Class IV highways. The budget line item shall be subject to voter approval." Normally the voters vote on the budget as a whole, not on line items. This reads like they would be voting separately on the line item. What is the intent? Charles said the intent is that the town would be committed to that amount. The Planning Commission didn't think the voters would have to vote separately.

Nat said the proposed policy says the budgeted money would be spent annually or placed in a reserve fund. We would need to vote at town meeting to establish the reserve fund, right? Eric said that is right. Nat said we can't just adopt this policy as is. We need a caveat about establishing reserve funds. The town has been getting more reserve funds and that provides less flexibility.

Charles said the feedback the Planning Commission got from members of the public is that the town isn't doing much of anything on Class 4 roads now. Eric said we budgeted \$2,500 and virtually none was spent. That probably is a fair characterization.

Doug said he would be opposed to putting the burden of proof on the town to establish right of way locations. He thinks we ought to send the Planning Commission our current policy on how roads can be moved from Class 4 to Class 3. He would like them to look at how we currently upgrade roads to Class 3. Charles asked why. Doug said it relates to how much we are going to budget. Upgrading highways is very expensive. He doesn't know what we can do that fits the

budget requirements of our town. He doesn't know that we ought to do nothing but he doesn't know that we should provide driveways to people. That was why we wanted the Planning Commission to study Class 4 roads.

Eric asked if culvert information was shared with the Planning Commission. Charles said not that he is aware of. Brian said he thinks there was a communication breakdown and not all we offered was taken up by the Planning Commission.

Michael Fedolfi said he thinks Basin Road should remain a Class 4 highway. The policy says the road should not be upgraded unless there is a public benefit. It seems we can keep it where it stands now.

Greg Tatro said that the Planning Commission thought for a road that doesn't go anywhere there was a lot of liability for the town if there was another Irene and there was a road that the town crew couldn't even get to with normal equipment. The town would have to pay a lot of money to fix that road and might have to pay a fine to the state if the road was not maintained. There are a lot of roads no one ever goes onto. They also understand that people pay for a piece of land on a Class 4 road and changing it to a trail might not be fair. He didn't want to saddle the town with a big bill if we had another Irene. But the Planning Commission was also thoughtful of people who live on those roads.

Another Fedolfi said he is one of the property owners on Basin Road. He described where his property is. He said there are two more properties above his and now there is a permanent resident living off Basin Road. As it stands now, the damage to the road is so extensive that the property owners cannot drive to their properties.

Rob Rodriguez said unless the road damage involves a culvert or bridge the town isn't going to fix it anyway if it is a Class 4 road versus a trail. He said the Planning Commission talked about what maintenance the town actually does and it really isn't much at all. He is not sure the town would help any less than it currently does if a road became a trail.

Charles said the Planning Commission spent a lot of time discussing Basin Road. It is a tough road to maintain. Doug asked, what about its use as an access to the Long Trail? Hikers using it are on foot and can get by the erosion, but it is a community resource. It is marked on the trail guide as the Davis Neighborhood Trail. Doug noted that Diana Osborn said thousands of cars annually drive on Prospect Rock Road. We should think about that.

Bob Lindemann said he is the last property owner on Basin Road. He likes the road in a rugged condition. But he would like access to his property, which he does not have now. When he spends time there it requires a one-mile hike. He also noticed recently that search and rescue was checking out the road in terms of being able to rescue people from the Long Trail. Providing access for them is another issue. And people need access to do maintenance on Long Trail facilities like Corliss Camp. The road also provides recreational access for skiers, etc. He thinks the road should at least be kept open. It bothers him that people are saying that if the town turns the road to a trail then the town is no longer responsible for polluting the brook if a

culvert fails. The washout on the road occurred specifically because the culvert failed. All he is asking is that the town make that portion of road passable.

Ken Tourangeau asked the last time the town spent money on a Class 4 road. He said the town hasn't spent money on Class 4 roads in the last 3 years. VASA and VAST have taken care of all of them. The last time the town spent money, they gave culverts to people on Codding Hollow Road and they did the work themselves. He knows VAST fixed Sinclair Road last year and the year before and they fixed erosion problems on Codding Hollow Road.

Brian S. said he wouldn't say we have spent a lot of money on Class 4 roads. He appreciates the partnership with clubs that have been doing work. We are concerned about the potential for future cost but Ken is right that right now we provide materials and property owners do labor themselves.

Ken asked how turning Codding Hollow Road to a trail will hurt the property value for his camp and others. And how much money will it cost taxpayers to bring it back to a Class 4 road? Eric said to bring it back to a Class 4 road the selectboard would have to hold a hearing. It would not cost any money because the town would not be required to do any maintenance. Ken asked, will you have to bring it back to a certain status to call it a Class 4 again? Eric said he doesn't think so. He thinks it could look the same if it was a Class 4 road or a trail. He doesn't think the change from a Class 4 road to a trail would change the property value much. Ken said, but it would not be called a road anymore. If he wants to sell, he thinks that would damage his property value. He doesn't think the town should call any of its roads trails. There would be a possibility that the rules could change and the town would not be able to bring them back to roads.

Rob Rodriguez said if there is a culvert out, legally the town has to fix it. The law says they have to maintain bridges and culverts. Eric noted that the board already approved taking care of the Basin Road issue earlier in the meeting.

Doug said he thinks we should send the policy back to the Planning Commission with comments and additional information. We should take Rob Moore up on his offer to provide information on hydrologically connected road segments. Other board members agreed.

Charles Gallanter asked, the Planning Commission is going to look at MRGP, the road erosion inventory and Class 3 upgrade criteria and talk to Rob Moore – anything else? Doug suggested Brian might send the original letter with the selectboard's charge to the Planning Commission along with additional thoughts. Nat said he thinks the letter Diana Osborn sent should be looked over by the Planning Commission.

7. *Update on Informational Permit Ordinance*

Brian said he made the updates requested at the last meeting. The ordinance is no longer called the Building Permit Ordinance. Now it is the Informational Permit Ordinance. He took out all references to "building permit" and "permission." This version restructures how we review permits. There is no decision. You tell us about your building and we issue an informational permit. He changed the administration into a single step. The permit is applied for and the

applicant receives the informational permit and that is it. There is no expiration. This draft includes that no penalty will be enforced for 6 months from the passage of the ordinance.

Kyle said this name doesn't make it clear what the ordinance is about. Brian agreed that is a good point. It does make it less clear. Kyle said she suggested last time that we strike the word "permit" and say something like "building form." There was discussion about other possible names for the permit and the ordinance. It was agreed to call the ordinance the Building Notification Ordinance and what we issue the Notice to Build.

Mike said last time we talked about bringing this before the voters at town meeting. Eric said he doesn't recall that discussion going anywhere. Nat said he suggested that but it was agreed that we would continue to work on it and send it out for legal review and then the board could decide whether to pass it or delay until town meeting.

The board agreed that the draft ordinance is ready to send for legal review.

Eben Patch said when this originally started it applied to buildings over 100 square feet with a bedroom. Why are we now encompassing ponds, pools and patios? Brian said he doesn't think it has changed. He has tried to write it with an expansive definition of when a permit is required with the idea that since there is no fee we would be better off having people make contact. They could be fined if they do not make contact when they should have. There is no question of giving permission and no fee. People just need to let us know. We exempted a couple of things – buildings less than 100 square feet and a replacement of an existing building with a similar building with equal area and number of bedrooms. Eben said this has morphed way beyond what the listers asked for. It will cost the taxpayers more because the assessors will have to visit every property where there is a permit. Eric said they are currently going to every place they are aware of with any improvements.

Eben asked, can we put something in the ordinance that says it can never be amended? Eric said we could not put something in the ordinance that would direct a future selectboard to do or not do something.

Eben said this has morphed into something that applies any time you touch a property. Nat said he wants to push back on the idea that this morphed or expanded. He thinks the reference to swimming pools, etc. is consistent with earlier drafts. This went from a more complicated document, based on feedback, to something simpler. We have made it less onerous and very simple.

Walter Pomroy said this still requires approval. If approval is required it is a permit. As long as there is an approval process someone can say no. Eric asked where Walter sees there is an approval. The ordinance says approval is automatic. Brian said in Section VI (A) the word "approval" is used. He can change that wording. It should say that the town shall issue a notice to build when it receives an application, and the word "shall" means we must do it. It's not a decision process. Walter asked if Brian will strike the phrase "review the project." Brian said he thinks we can strike that. We should not have an approval process.

Eric asked if Brian wants to make those changes and bring the next draft back to the board. Brian said he would be comfortable making that change and then sending it for legal review if the board is comfortable. Mike said Brian should bring it back to the board first. Other board members all agreed that it would be fine to send it for legal review after making the changes.

Marla Emery said the word “application” has the connotation of an approval process. Brian said we might clean up that language.

8. *Expanded ATV Access*

Brian reminded the board that at town meeting VASA asked for expanded road access for ATVs in order to access the downtown area, particularly gas stations. There was a vote and it passed. The board should consider providing that access.

Ken Tourangeau said the ATV club asked to be able to use Gould Hill and Railroad Street because the southern part of Johnson is cut off from the trail system. Due to COVID-19 they are just trying to bring money to the town. The City of Newport opened all their roads to ATVs and businesses there say their business tripled. They are currently allowed to use town land to get to Jolley's. Jolley's wouldn't give a written statement because they are a corporation but they said they would hate to lose the ATV business. He would like to see the expanded access get moving. He thinks it could benefit the town. There haven't been many complaints about ATVs. Brian Story told him there was one complaint on Hoag Road. Brian asked him to put up new signs there and he did. But there is an issue with that. When the town enacted the ATV ordinance ATV speed limits were put on the road signs. He needs to be able to take the ATV speed limit off the town speed limit sign because if Brian asks him to lower speed limits for ATVs and he puts up new signs people won't listen to the new sign if the town signs are up. ATV club members would love to be able to get down Railroad Street to connect to trails on the other side of town. Morrisville has been asking what it would take to get ATVs into the village. They want them there and they invited club members to a meeting.

Spencer said he lives on the other side of the river and he would love to be able to connect to trails on the other side of the river from where he lives. What the ATV club is asking for would be beneficial. Someone from Newport could drive an ATV all the way down here and spend money in our town. Other clubs want to come here from other areas. He would like to see a notice placed in the newspaper to start the process of expanding access.

Mike said he thinks it is a great idea.

Nat said he thinks it is a good proposal. The only reservation he has has to do with our sheriff's budget. There is a tremendous amount of pressure on that budget. If there are complaints they will have to respond and that will put more pressure on the budget.

Ken said he thinks the only complaint Brian knows of since ATVs have been on the roads is the recent one. Brian agreed but he said he thinks Nat's concern is more the potential for complaints in the abstract, not specific complaints.

Ken said VASA hires the Orleans and Caledonia sheriff's departments to patrol trails and provides them two ATVs, which means they can patrol anywhere in the state. VASA spent around \$80,000 last year for patrol by the sheriff's departments.

Nat asked, if there was a complaint, would they respond to Lamoille County? Ken said they wouldn't respond to this area unless they were already here but ATVs use state highways and town roads in many other towns and there aren't many complaints. When there are, the sheriff's department tends to contact the ATV clubs and they take care of it.

Nat said he thinks they have been community-minded and responsive to complaints.

Doug asked for an estimate of the number of ATVs that would like to use Railroad Street. Ken said he doesn't know if he could estimate it. This year there has been a big influx of ATVs due to COVID-19. He would say on an average day there are 10 to 15 ATVs at most going to Jolley's on a weekend and a minimum number on weekdays. A hundred people could show up on a big ride. But they could spend thousands in town. Chad Letourneau said groups of ATV riders go to Eden or Newport because there are places to eat there that they can access.

Ken said the ATV club cleaned up seven roads in Johnson on Green Up day. They are actively involved in our town. He thinks the town would benefit from ATVs using the roads. He would like to see the request go to the grievance process.

Kyle said as a Main Street business owner she appreciates business. She wants to bring up safety concerns. Our Main Street is known for speeding. She worries about the safety of ATV riders and about safety of drivers, pedestrians and bikers. She wants to visualize how this will work from a safety point of view.

Ken said 25 miles per hour is nothing for ATVs these days. They can go the speed of a car. There are helmet and insurance requirements. Anyone under 18 has to be accompanied by an adult. To ride on roads rather than trails, riders must be 12 years old. Adults on \$20,000 machines are pretty safe most of the time. He cannot remember any serious ATV accidents in Lamoille County recently. The club could easily post Railroad Street at 15 mph for ATVs. They would have to ask the state to use Route 15. He feels safety isn't a big issue. ATVs drive through the woods at 25 mph. It is no different than driving a car these days.

Kyle asked, if an ATV was driving on Route 15 and a pedestrian needed to cross, would the ATV stop like cars are supposed to. Members of the ATV club said yes, they follow road rules. There are more pedestrians and traffic in Newport and there haven't been any accidents there. Newport has been open to ATVs all season.

Kyle said she is wondering about noise pollution and how loud these ATVs are. Ken said they are quieter than a Harley-Davidson or loud truck. They have a different sound. The tires make a hum. If they are using Railroad Street he would suggest setting the speed limit at 15 mph and then there would be hardly any noise. They are only allowed to have stock mufflers that are under the decibel limit the state allows.

Eric said the request was approved by the voters at town meeting. The board could go through the formal process of redoing our ordinance, which would take time. There would have to be time to allow voters to raise a petition. Or we could potentially do a waiver on our current ordinance to see how it works out and then if it is not working out we would not have to undo the ordinance change.

Lotty Roozkrans said she lives on Clay Hill. It is not fun listening to ATVs all weekend long. It affects the quality of her time off. Her neighbors on Gould Hill complain about hearing ATVs late at night when their kids are asleep. If the town has a speed limit, they are still speeding up the road. She doesn't see that changing for Railroad Street. She thinks there will be a lot of noise.

Rob Rodriguez said he was in Newport last weekend. It was really busy up there, with cars ATVs and motorcycles all together. He didn't see any problems. All were following the rules of the road. He would be in favor of granting the request.

Ken said they would be happy to do a trial period. They would also be happy to come to a grievance hearing. They feel they could bring money to this town. He said Lotty could call him anytime. He gave her his number. He said with the town's permission, he would be happy to lower the speed limit on Clay Hill.

Brian summarized some comments from chat. Kyley said she likes this as a way to bring more business to downtown. Rob made a similar comment. Marla said she was in Newport recently and had a similar experience to Rob. She felt ATVs and vehicles were doing a good job of sharing the road.

Nat asked if there is a trail curfew. Ken said there is no VASA trail curfew but they go by the Johnson ordinance which he believes is 10 p.m. during the week and 11 p.m. on weekends. He would be happy to have a curfew on Railroad Street during the trial.

Brian read more chat comments. Shayne Spence said as long as they are willing to be good neighbors it shouldn't be a problem and Beth Foy agreed. Diane Lehouillier asked how they would get downtown.

Ken said they assumed Gould Hill would be the best area to come down through to get to downtown. Coming from Gould Hill to Railroad Street would be the shortest route.

Eric asked, they would have to get the state's okay to use Route 15, right? Ken said yes. Doug asked if they would be looking for a state permit to get to Moog's Joint. Ken said they would love to but he doesn't want to ask too much at a time.

Board members agreed to waive the ATV ordinance for a trial. Nat asked how long the waiver would be for. Eric said if they have to wait for state approval he would guess they are looking at starting this next year. Ken said yes.

Kyle asked, if we do this trial and we feel it's working well, then we will change our ordinance, right? Eric said yes. Kyle asked, if we feel it is not working well, then what? Eric said we would pull the waiver and then they would be back to the current ordinance.

Mike moved to authorize Eric to sign the state road use permit to expand access by ATVs as requested, waiving the ATV ordinance for this use, seconded by Doug.

Kyle asked how long the waiver is for. Eric said for the next season. Ken said the season is May 15 to November 1.

Ken brought up the request to be able to remove ATV speed limit signs on town signs when he is requested to change the speed limit for ATVs. Doug asked, don't we have a problem there? It's probably built into our ordinance. The speed limit is an ordinance issue. Brian said he thinks we might need to look at our ordinance before we grant or deny permission. Ken said he is not talking about taking down all the ATV speed limit signs. But if he is putting up new signs he feels he should be able to take down the existing ones in that area and replace them with a new speed limit on the sign and bring the old sign to the town. Doug said he does not think Brian is authorized to tell the ATV club to reduce the speed limit to 15. The board agreed to have Brian look into how to reduce ATV speed limits properly.

The motion was passed.

9. *Dilapidated Buildings Enforcement Report*

Brian said we were ramping up to start enforcing the dilapidated building ordinance before COVID-19 and one request was to review with the listers some of their observations and see if they had any relevant data or reporting. They do make a note when they review a property of what percentage complete it is. Buildings that are 50% or less complete might be ones we should take a look at. Another characteristic the listers record is whether buildings are coded for salvage. We could use those two data sets as a starting point for buildings that might need attention under the ordinance. He and Tracy can visit owners of those properties and run through the ordinance with them.

Nat said he looked up information on one of the buildings on the salvage list. It is a building the Studio Center is reconstructing. So the list is not all empty, dilapidated buildings. Brian agreed. There is no list we can use without having to look at the building.

Brian said we will start enforcing the ordinance and we will start with buildings showing up on these lists. Doug said he wonders if we shouldn't start by publishing information on our ordinance. He thinks we ought to give the public notice of it and then if we are going to visit a property, send the ordinance to the owners first. Brian said he thinks that sounds like a good idea.

Eric asked if Brian was authorized to do enforcement or if we designated someone else. Brian said he thinks he and the first and second constables are authorized to do enforcement.

10. *Formation and Membership for Committee to Study Law Enforcement Options for Johnson*

Brian said we have seen a lot of growth in our patrol budget and after talking to Roger Marcoux and the other towns that contract with the Lamoille County Sheriff's Department we have

decided we should have a study of alternatives and their costs and benefits. He would like to post a request for volunteers to be on a committee on Front Porch Forum and the town website. Eric asked if we are doing this in conjunction with Hyde Park and Wolcott. Nat said there will be two members from each contract town on the committee. The charge of the committee is to study how we can continue law enforcement coverage in a financially sustainable way. The towns agreed with Roger to do this in exchange for his capping budget increases for the next two years. It was agreed that Brian should post the openings.

11. Review Zoom Licensing

Brian said we are currently paying a pretty good amount for a Zoom license. We are paying for the ability to have up to 500 simultaneous users connecting and participating. If we give that up we can save \$50 a month and we can still have 100 simultaneous users. We have only had more than 100 users a couple of times. He doesn't think we would lose much functionality.

Mike asked what the different levels are for number of users. Brian said it goes the options go from 100 to 500 and then to 1000.

Mike asked, if we lock into 100 users and 120 people want to go on, what happens to the other 20? They just can't get on? Brian said yes. Mike said that might be a problem sometimes. Eric said it could be a problem while we are not having in-person meetings. After we are having in-person meetings again he doesn't see a need for 500 users. Mike agreed. Eric said we are looking at doing a community Zoom broadcast in early August so the Studio Center and NVU can explain their protocols. He could easily see that having over 100 attendees.

Doug asked how easily we can increase the number of users if we think we will go over. Brian said we can change it very easily in advance but not in the moment.

Doug said he doesn't think we should do this before the NVU/Studio Center meeting. Brian said our next billing is not until August 18 or 19. Eric said there would be a savings of \$50 a month but also the potential for someone to be blocked out from the Zoom broadcast. Mike said he doesn't think \$50 is that important. The board agreed to leave it as it is.

12. Discussion, Formation and Membership for Committee on Racial Justice

Eric said he wanted to suggest that we think about a racial justice committee. Craftsbury put one in place. They were having a Black Lives Matter protest and a counter-protest and the idea to start a committee came out of it. From all indications it is working very well. All the parties are there talking. Cambridge is looking into one. Eric is getting the sense that tension is building in the community, not just regarding Black Lives Matter but also from COVID-19. There is the issue of wearing or not wearing masks. There is general anxiety. The effects of COVID-19 on the economy are stressing some people. Protests have been going on and we haven't even headed into the election cycle yet. He anticipates that will be very contentious. He has concerns about a flashpoint where something that is not good could happen. We had a person contact us about a Johnson business doing racial harassment on social media. After some investigation it turned out that the postings were from a business in Maine with the exact same name. We had a person call us because they believed they observed a noose hanging over the highway. By the time the sheriff was notified there was nothing there that the sheriff could observe. There were some old ropes hanging there but they appeared to be from something like a swing. The person should have reported it to the sheriff's office right away. That is some of the background of

Eric's concerns. There is a lot of stress and anxiety in the community. If we are not careful he thinks there could be a flashpoint. We could have a committee to discuss these issues and bring forward recommendations to the board. The board dealt with racial justice issues at the last two meetings and will be dealing with more tonight. The selectboard can't spend the time on these issues that they deserve. He thinks a committee that was able to talk it through would do a better job. So he suggests that we consider forming a racial justice committee.

Kyle said she thinks it is a good idea but she thinks we have been doing a great job as a board and a community in talking about these difficult topics and staying civil and respectful. She said Eric talked about a lot of different things. It is important to be clear about the expectations for the committee. And she is curious what exactly he is fearful of.

Eric said he is afraid of a confrontation between two groups like what happened in Craftsbury. He thinks COVID-19 and the economy have added stress. He didn't see the committee dealing with things like COVID-19 or the economy. But with the combination of all the different stressors he could see where someone might do something that is not smart. If we can prevent that, it would be the best thing for the community.

Doug asked if Eric knows what the charge is for the Craftsbury committee. Are they subject to the selectboard accepting or not accepting their recommendations? He does not like to appoint people and overthrow what they are saying. If we can, we want to accept the recommendations. Eric said he would envision that we would have the power to decide what to accept. All he knows about the Craftsbury committee is what he read in the paper.

Doug asked how many members the committee would have. Nat said he thinks it depends on community interest. Maybe this would be the first charge of the committee, but he would like to have some understanding of the mission of the group. What he has been observing is there have been hard conversations but people have been talking through and not to each other and not doing the work to build bridges to understanding. If there were a committee he would want one of its charges to emphasize strengthening connections between people – not just jumping to solutions but talking about how we get to a more equitable and just community.

Doug said he is wondering about the charge for the committee. Should they have a member on the sheriff's contract committee? He is hearing a lot about changes in policing. He has seen a lot of response from people who he thinks would be happy to serve, but he doesn't think there is a countervailing group to have a conversation with that would come forward. We need more than one side for dialogue. Eric said he would agree that we would want a very diverse committee membership.

Shayne Spence said the stress and division in the community that Eric had mentioned are things we should keep in mind. As a way to mitigate those stresses we should make sure there is a wide range of voices on the committee. But we should make sure they are people that can communicate and come out of the room with the understanding that we are all good people with Johnson's best interest at heart.

Beth Foy said she likes the idea. Greg Tatro commented that we are trying to be proactive.

Rick Aupperlee said we have an inclusivity statement. The select board is the committee to lead on this issue.

Greg Tatro said he thinks it is a good idea. He is not sure people on these Zoom calls actually know what is going on in a lot of the community. He does think there is a lot of tension. The flag is a cause of tension for a lot of people. He was on the Lake Carmi watershed committee and when he asked if anyone had gone to talk to farmers other committee members said no, they don't want to talk to us. He went to talk to farmers and that started healing the community. They were working together instead of being one-sided. He thinks this committee is good for relieving tensions. We become split, left and right, losing our community. This is one way to get some of it back.

Beth said she echoes a lot of what Greg said. She thinks we have lost the ability to hear each other because we feel very strongly. Everyone has an opinion but if we do not hear each other out and have unheated conversations we will never get past whatever the boundary is. She thinks this is a great idea. If it is going to be successful we have to reach out to strong voices with all different opinions and also some of the softer voices with good reasoning behind what they are saying. And most importantly, whatever the committee looks like, there needs to be a strong facilitator who can control the conversation.

Cal Stanton said he thinks it is probably a good idea but he hears a lot of people talking about trouble happening. Divisiveness is a word he has heard a lot. Democracy is sloppy. Everything can be divisive. Are people hearing things or just sensing it is tense out there? When we say something is going to happen we are almost willing it to happen. It is 2020. There shouldn't be racial tension but unfortunately there is. He hears inflammatory language and he feels it isn't helpful. He wants to trust that we can deal with this as a community.

Shayne Spence said for him personally there is a right and wrong side of this issue and he thinks there is for a lot of us. Certain people hear a phrase like "Black lives matter" one way and others hear it in the opposite way. People are not worried so much about acts of violence but about how horrible all of us would feel if we put flags up and then there were racially motivated defacement of them. It is not necessarily an invitation for someone to do it but acknowledgement that it could happen. He thinks putting up the flag is a good thing. Some people hear "Black lives matter" and for some reason hear something bad from those words. It is the job of those who believe in it to educate others. But he doesn't think there is any value in hitting people over the nose with their wrong opinion.

Jackie Stanton said when she first saw this committee was proposed she thought it was great. She had made the assumption that it would be about the racial justice work we had already begun in this town. She would love to be part of an effort to continue work like that. From what she is hearing it sounds like the goal of this group is to bring together people who want to do racial justice work and people who don't. She doesn't really understand the goal. Is this a group that wants to further racial justice work? Would that be included?

Eric said his impression is that it would be, but with everyone involved. He thinks this group would set up trainings, consider proclamations etc. They would flush out all those things and come forward with recommendations. Eric asked board members their thoughts.

Kyle said she thinks it is worthwhile. As a board, would we put together guidelines and a mission and then look for people who were interested? Eric said that is all up for discussion.

Brian said with the Beautification Committee, for example, the selectboard gave them a broad directive and they wrote a mission statement and presented it to the selectboard and the board accepted their mission statement. This committee could follow the same process or establish a different one.

Doug said he thinks Brian is saying that the board gave the Beautification Committee the mission and they said how they would accomplish the mission. The mission is heavy lifting. One idea he is hearing about what the committee would do is bring together the community for a unified vision. Another is to educate those who don't believe a certain way. Those are different. He would love to see unanimity in our community on this issue, but how to get there? He thinks there are clearly differing views. He thinks we should spend some time defining this, then look at how to get greater participation to heal rather than drive apart.

Kyle said she thinks we need more time to flesh this out. When she hears racial justice, she hears taking action steps to make the lives of Black people in the community better. If that is what we are talking about then that should be the mission. It feels like we need to be on the same page regarding what this is about. She is not feeling clear on what this is for and what we want the outcomes to be. She would hate to start a group when we are not even clear what we are trying to accomplish.

Mike said he thinks if we have this group there should be large participation of people of color to see how they feel about things.

Doug said we should ask people in Johnson what we can do here in Johnson.

Kyle said she agrees that if people of color want to join the committee then they absolutely should be on it, but she doesn't think we should be approaching people of color and asking them to do white people's work. We created systemic racism and we need to end it. It is not fair to put the onus on people of color. Of course the committee would be open to people of color but we would not be targeting people of color. Mike said he would just like to hear their input. Kyle said she thinks their input is welcome but she thinks a lot of people of color won't want to participate for very legitimate reasons

Nat asked if similar committees in other communities have mission statements. Eric said he doesn't know. Brian said he can get in touch with a couple of our neighbors. He thinks Stowe has attempted something similar and he can reach out to Craftsbury. Eric said that sounds good.

Cal said before we get too far down the path of comparing us to Craftsbury, in Craftsbury there was a peaceful demonstration going on and people showed up with Confederate flags and guns. He doesn't want to draw the two sides as equal or equally responsible.

Rick Aupperlee said we have been through the public process of getting an inclusivity statement and we have a board that we elected to be leaders. He thinks we need leadership. We need a public statement that affirms the inclusivity statement. We need to make sure people know where the board stands on this issue. We have gone through the process at town meeting and people were even willing to amend the inclusivity statement to include more positivity. The conversation is being held in the community. If you are afraid of things you need to stand up to them. He thinks the board needs to take a stand on this issue. Mike asked, take a stand on exactly what? Rick said stand up for the inclusivity statement. Get ahead of this issue instead of worrying about what might happen. If we let the bully drive the conversation and we don't get ahead of them then we will be dealing with the bully. Maybe the board wants a committee because the board doesn't want to deal with the issue, but the public gave the board a mandate to deal with the issue. He is all for the committee and wants to be on it, but he thinks we need leadership.

Kyle said she agrees. She thinks this committee can't be in lieu of our leadership. We do have an inclusivity statement already in place. It needs to always come back to that.

Brian said he will look at orders given to similar committees. He said he appreciates Rick's comments, but the board did adopt an anti-racism statement on June 15. The board does stand against racism. He commends the board for having taken that action.

13. *Review and Adoption of Juneteenth Holiday Proclamation*

Brian said there are three different Juneteenth proclamations for the board to consider. To start with there is the one originally presented by Shayne Spence and another version of that with updated language.

Shayne said last time a question was brought up about the inclusion of indigenous people. The only change between the previous version and the second version is the removal of the reference to indigenous people or other communities of color. The distinction between a town holiday and an official holiday had also been mentioned but the only major change is dropping the reference to indigenous people.

Eric said the town does not have the authority to declare an official holiday. Brian said we can declare a town holiday. He thinks we have to avoid language about an official holiday.

Mike moved to adopt the revised version of Shayne Spence's proposed proclamation declaring June 19th Juneteenth Freedom Day. Kyle and Nat asked to hear both possible proclamations before voting. Mike withdrew his motion.

Kyle said the other proclamation presented for the board's consideration is the one that has been adopted by the Vermont State House of Representatives. Brian said it is more specific to current issues and concerns. Kyle said she thinks this is one to consider because people of color are still fighting for the freedom promised them. This one, in its first sentence, refers to the current

struggle for racial equality. It is a call to action and says that our work is not done. The one proposed by Shayne does not name or call out the current systemic racism until the fifth paragraph and then there is only one sentence about that. That is why she is more in favor of the one passed by the House of Representatives.

Doug said he is in favor of the Hartford one Shayne proposed because it is a Juneteenth proclamation. The initial version of the House one was primarily about murders of Black people and then language about Juneteenth was added to it. He thinks that one allows us as citizens to escape responsibility because it lays the burden on the police. He thinks focusing on the police is focusing on a symptom of the underlying problem. He doesn't think it is strong enough.

Shayne said he thinks the House proclamation wasn't originally drafted as a Juneteenth resolution and those references were spliced in later on.

Cal Stanton said he thinks both proclamations are good. Context is important. The House proclamation does a better job of documenting what brought us here. He thinks the other proclamation is good but there is a danger of us whitewashing. He would hate this holiday to turn into just a holiday. It should be a somber occasion. If the board does not vote to adopt the House proclamation he would like it perhaps included as an addendum.

Jackie Stanton said we had a similar conversation last time about context and the point we are at in history. We are only talking about this because of the history we are living through. The House statement was overwhelmingly supported. Doug felt it wasn't strong enough and he made a good point but just because it is not strong enough that doesn't mean it makes sense to go back to the weakest version. She likes Cal's idea. Is there a way to accept the Hartford proclamation and tag on the House statement for context?

Doug said the subject is Juneteenth. It was clear that the representative who wrote the House proclamation added onto something he had already composed. That proclamation doesn't lay the blame where it should – on we, the people. The police act the way they do because we allow it. He thinks they are scapegoats for us. But he is not opposed to attaching it.

Walter Pomroy said when the voters passed the inclusivity statement, the one they ultimately chose was one that tried to make it positive, whereas the House proclamation starts out damning everyone. It is not positive. He thinks the voters said they want to be positive. When we talk about forming a committee and having a conversation, did anyone ask how people in the community felt about taking down half the U.S. flags on Main Street? No. A lot of people in town voted for a certain president. The House proclamation comes right out and condemns that person. We talked about wanting to have dialogue and be inclusive, yet the trustees and now the selectboard are proposing to take actions that are basically spitting on certain people and their beliefs and condemning them. The voters said at town meeting that they wanted to take a positive attitude. He hopes the board chooses the Hartford proclamation because that is the positive statement and that the board will honor the wishes of the voters of Johnson and not adopt the negative House proclamation.

Jackie asked about the notion of being positive. Positive for who? Are we trying to be positive for people of color or people who may oppose this holiday or oppose the town taking a stand against racism?

Greg Tatro said he is with Walter. The second proclamation is divisive. We have an inclusivity statement in this town. He wasn't really for it in the beginning but he read it a few times and decided it was a good thing. When we are calling out the president and the people who voted for him, that is not inclusive. The second statement eliminates inclusivity.

Kyle said that proclamation is calling out racist actions that we as a town have said we reject. This is not for us and our white comfort. This is for people of color. We say things like "This is divisive." Divisive for whom? Not for people of color. It is affirming their lives and history.

Greg said he agrees that Black lives matter but when we are calling out the president, there are people in town who voted for him and who are not racist. When you are calling them out you are not including those people in the inclusivity statement. Greg doesn't want racism but if we want good dialogue we need everyone, not just people who are left of center. He doesn't think Johnson is a racist town. People need to be educated but you can't alienate part of the population then expect everyone to participate.

Mike moved and Nat seconded to adopt the updated Juneteenth proclamation proposed by Shayne Spence.

Kyle moved to add the House of Representatives proclamation as an addendum. The motion died for lack of a second.

The motion was passed.

14. Review Proposal for New Flagpole

Brian said there has been a suggestion of possibly adding another flagpole either on town property or on joint town/village property in order to hang a Black Lives Matter flag. It has been suggested that there could be one attached to the municipal building or a new one in addition to the flagpoles we have which are on village property or one on Legion Field. Does the board want to consider that?

Mike said the trustees are going to discuss tomorrow night that a community member is offering to put a flagpole in the middle of the village. He thinks that will suffice.

Kyle moved to erect a flagpole on the municipal building property. Nat asked if her intent is that the flagpole would have a Black Lives Matter flag. Kyle said yes. Her intent is to put a Black Lives Matter flag on municipal property. She couldn't say exactly where.

Brian said a couple of suggestions he got were Legion Field and the clock tower on the municipal building. He thinks the best thing would be if the village were willing to put a fourth flagpole in the existing collection of three, but that is only on village property. But we would need to work with them to hang something on the municipal building anyway. If we are looking

at a flag on shared property we need discussion with the village. We can discuss where the flag would look best and that might be on property solely owned by the village.

Eric asked for a more specific motion.

Nat suggested we use the municipal building clock tower. It is clearly joint owned. It is quite visible. Putting a flag there will require approval from the trustees. He understands they will probably go back on their idea of putting Black Lives Matter flags on electric poles.

Kyle said ideally she thinks it would be best if the Black Lives Matter flag were as close to the other flags as possible. She thinks it is important as a symbol that the Black Lives Matter flag is in the same vicinity as our other flags so as not to look segregated from them but she doesn't know if that is possible. Where is the line between the village property and the joint property? Eric said he understands that the line is right next to the assembly of flags.

Kyle moved and Nat seconded to erect a flagpole with a Black Lives Matter flag at the edge of the jointly owned municipal building property, adjacent to the boundary of the neighboring village owned property and the village-owned flags.

Nat read Phil Scott's statement about painting Black Lives Matter on State Street in Montpelier in front of the Capitol building: "I think it will be a necessary reminder that we must make equity a priority and use this movement to drive real action that will benefit all of Vermont." He noted that Phil Scott is a pretty moderate guy.

Doug asked, does anyone else have a right to put a flag on this new pole or is it limited to Black Lives Matter? Eric said the motion was limited to Black Lives Matter. Nat said the board can decide in the future to put another flag up. Kyle said she thinks that we will cross that if it comes up. Right now this is what we are doing.

Mike said this Black Lives Matter flag is still going to be next to the fire department. Black Lives Matter and the Black Lives Matter organization are two different things. There is talk about turning the Black Lives Matter movement into a political party. If that is the case, are we going to fly a political party flag outside the municipal office? He doesn't think the town should make a political statement.

Kyle said that is factually incorrect. The Office of Special Counsel, an independent federal watchdog, has informed federal agencies that supporting Black Lives Matter is not a political activity because Black Lives Matter is not a partisan political group. This means that federal employees can wear or display Black Lives Matter items without violating the Hatch Act.

Mike said he went online today and came across a Newsweek article that said Hawk Newsome, a Black Lives Matter leader, said, "If this country doesn't give us what we want, then we will burn down this system and replace it." He could never support an organization that has rhetoric like that.

Jackie asked who that quote was from. Mike said the chairman of Black Lives Matter of Greater New York, Hawk Newsome. Jackie said Black Lives Matter is a huge, loosely-knit global network. There are authorized and unauthorized chapters. She suspects this group might be an offshoot that is not valid as representing the Black Lives Matter organization.

Phil Wilson said the trustees took this issue up last week and are meeting again tomorrow. The trustee board received a proposal to put a flagpole on private property that they will discuss. He thinks the request was for the government to put up a Black Lives Matter flag, not private actors. He thinks this motion is a simple gesture that would be in line with the original request and hopefully the trustees could follow suit tomorrow. This would be a compromise between the vote the trustees already took and what the trustees are going to look at tomorrow.

Eben Patch asked, why don't the selectboard and trustees just come up with one flag location? Do we have quotes for these flagpoles? He supports the movement but questions having the selectboard throw one flag up and then have the village do the same thing tomorrow night. It could look better if the two boards work together.

Brian summarized some comments from chat. Rob Rodriguez said there should be a townwide vote. Walter Pomroy asked the board to check the flag code. Jasmine Yuris agreed the two boards should be working together on this.

Nat said that is the hope. The selectboard doesn't have a lot of joint meetings with the trustees. One board comes up with a proposal and the other accepts, rejects or changes it. That is the process we have. It is awkward.

Eric asked if it would be in order to table this until after the trustees meet tomorrow night. Nat said if we make a decision tonight that informs what they do tomorrow night. Kyle said she stands by continuing this. Nat said if this motion is voted down then there is no sense in the trustees discussing it tomorrow.

Doug said he is in favor of a flag on municipal property but it was not possible to put one on the village flagpole. He doesn't know what the flag code is. It appears that the reason to have the Black Lives Matter flag proximate to the other flags is to make as strong a statement as possible. Painting Black Lives Matter on the sidewalk is not as symbolic as a flag. He thinks we ought to coordinate with the village.

Nat said he had looked up the flag code. It says that when other flags are flown adjacent to the U.S. flag the U.S. flag should be hoisted first and lowered last and no other flags should be above the U.S. flag. The proposal does not in any way disrespect the flag code or the American flag.

Mike said this board should not decide for the whole town. Many people will not appreciate the Town of Johnson endorsing a political movement. There is a move to make Black Lives Matter a political party. Kyle said she doesn't believe that to be the truth.

The motion failed with Nat and Kyle voting in favor and the other board members opposed.

15. *Town and Village Merger Update*

Brian said that town/village merger study is still out with the consultant with our requested revisions. The consultant is doing quite a bit of work related to COVID-19 for other municipalities.

Eric said it impossible to have a town meeting regarding the merger right now. Brian agreed we couldn't have the discussion about a merger in a meaningful way. It is recommended at this time that we don't try.

16. *Resignation from Fiber Committee*

Doug moved to accept Charles Gallanter's resignation from the Johnson Fiber Committee and to thank him for the great effort he put into it, Nat seconded and the motion was passed.

Eric asked if we want to disband the Fiber Committee now that we have a CUD. He asked if other board members see value in keeping it. Nat suggested tabling that discussion because of the late hour and others agreed.

17. *Thanks from Julia Mingleдорff*

Mike said Julia Mingleдорff wanted to extend her family's gratitude for the way the community came together for her father. Community members' efforts were instrumental in saving his life. She thanked Kyle and Michael Mahnke and other community members for what they did after her father collapsed in front of Kyle and Michael's store. Michael drove to Morrisville to make sure medical personnel knew who he was, since he had no ID on him.

Eric asked Mike to send the thoughts of the board to Dale Mingleдорff's family.

18. *LCPC Broadband Survey*

Doug said LCPC has a survey on who would be willing to sign up and commit to broadband in our community. He asked Brian if he could put something about it on Front Porch Forum. He would like any other ideas about how we could get adequate responses to the survey. Brian said the Fiber Committee used Tuesday Night Live to reach people for a similar survey last year, but that is not an option this year. This year it will be hard to reach anyone who doesn't already have broadband. Kyle said she can put something about it on the Johnson Works site. Nat asked if we can mail an announcement with absentee ballots. Brian said he doubts we could do that.

Anything election-related is pretty tightly controlled. Beth Foy suggested paying for a mailing. She said there is an equity problem if the board does not use a mailing. Doug asked if there is any chance the village would have a mailing we could insert it in. Eric said that wouldn't go to the people we are trying to reach. He asked, isn't a bulk mailing postcard fairly inexpensive?

Brian said he doesn't recall. We can look into it. We did a mailing for VT Alert and the cost was manageable. Nat suggested seeing if Sue Lovering would put a notice about it in her column. Brian said that is a good idea.

19. *Adjourn*

The meeting was adjourned at 11:20.