

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
TUESDAY, SEPTEMBER 8, 2020

Present:

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood
Others: Brian Story, Rosemary Audibert, Greg Tatro, Eben Patch, Margo Warden, Scott Meyer, Elizabeth Perry, Lisa Crews, Marla Emery, Lois Frey, Cal Stanton, Shona Sladyk, Jackie Stanton, Walter Pomroy, Lotty Roozkrans, Beth Foy, Rick Aupperlee, Shayne Spence

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order*

Eric called the meeting to order at 7:00.

2. *Additions, Changes to Agenda*

No changes were suggested.

3. *Review and Approve Minutes of Meetings Past*

Doug said he would feel better about approving the minutes of the joint meeting on August 24 at another joint meeting with the trustees so a unified version of the minutes is adopted. Kyle said she would also like to wait on approving the minutes of the joint meeting as she hasn't had a chance to compare the minutes with the video.

Kyle moved to approve the minutes of August 17, 2020, Nat seconded and the motion was passed.

After further discussion, the board agreed that Brian should ask the trustees to let the selectboard know about any changes they would like made to the August 24 minutes and the selectboard can take them up at its next meeting.

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

Rosemary said we have applied for the land records grant. We applied for about \$27K. We should hear by September 15 if we will be awarded the grant. If we are, that will take us back to the 1960's. Nat asked, if we get the grant, will it take a lot of staff time? Rosemary said no, we will have our land records company do the work. It should all be done by December 31.

Mike moved to authorize the chair to sign orders and the motion was seconded and passed.

5. *VLCT Annual Meeting Voting Delegate Appointment*

Brian said the VLCT annual meeting will be online on September 30. The board needs to appoint a voting delegate. Traditionally Eric has done it. Since the meeting is online it might be a good opportunity for any other board members who are interested to attend. Eric said if anyone else wants to be the voting delegate he would yield to them. It was agreed that board members will think about whether they are interested in attending and the appointment can be made at the next meeting. Eric said he will be the voting delegate if no one else is interested.

6. Request for the Town to Participate in Robert Wood Johnson Foundation Culture of Health Prize

Brian said Jenna's Promise has played a central part in this application. The Robert Wood Johnson Foundation gives out a prize for communities that have made significant advancements in community health issues. It is not a grant to do work; it is an award for having accomplished something. Last year we applied and didn't make it; this year he is interested in applying again. It will take fairly little of Brian's time but the town needs to be an active applicant. The town, not Jenna's Promise, would receive the \$ 25K. Last year we said we would use the money on public works that would benefit Jenna's Promise, like improving their access road or doing a traffic study. They are asking about sidewalks, but we would have to consult with the village on that. The money would be awarded to us for a public works infrastructure project. Because of the participation of Jenna's Promise it would be a public works project they would have some input into.

Kyle asked if the award specifically has to go to infrastructure benefitting Jenna's Promise. Brian said it could go anywhere. The town is the eligible body that can apply. If we do apply we will receive significant support and help from Jenna's Promise to complete the application. And they are doing a lot of the public health work we are touting.

Kyle asked what the public health plan piece is. Brian said the public health part is that we are saying Jenna's Promise has a positive impact on public health in Johnson. They are helping people afford to stay in care facilities, starting a new mothers' program and serving as a meeting place for Narcotics Anonymous, Alcoholics Anonymous and other support groups. We are saying that is a public health good. It is by agreement that we would use the money for something supporting Jenna's Promise. The money would be awarded to the town but Jenna's Promise is doing most of the application work. Eric asked, and it is Jenna's Promise that is making us competitive for the award? Brian said yes.

Doug asked is there any part of CHSLV hopefully coming in to St. John's Street that could benefit from this? Brian said that is the idea behind improving sidewalks and possibly the intersection or roadway. The hope is that CHSLV and Jenna's Promise will be able to impact more people if there is capacity to have more traffic.

Kyle said Dawn Tatro told her a CHSLV clinic is no longer part of the plans for Jenna's Promise. She hasn't seen anything in writing about plans for Jenna's Promise. She doesn't know what the work they are doing for our community is.

Nat said we did have a public hearing on Jenna's Promise before we applied for a grant with them. There was a robust discussion about their plans at that time. This is \$25K of basically free money for public infrastructure we are responsible for maintaining and upgrading anyway. To him this seems like a good thing.

Kyle said she is just wondering where the document lives for us to revisit. She knows there have been a lot of changes. She is pretty sure the community clinic that was an idea is no longer on the table. She just wants to keep up with changes and know what we are supporting.

Brian said he thinks the best thing he can do is share the application with the board. We do need to apply before the next meeting as the due date is before then. The application will include an essay that is mostly on the accomplishments of Jenna's Promise. It is by agreement that we are saying the money should be used on something Jenna's Promise supports. We would be getting the money as a result of work they have done. They are the biggest impact on community health right now. It will be a better application next year because we will have accomplished more.

Kyle said she isn't saying they aren't doing good work. She just wants to know what the work is. And it feels like the town and Jenna's Promise are getting more married, which might be a good thing. Brian has said "we" as if the town and Jenna's Promise were one thing. She thinks we should keep public and private separate. We need to know exactly what we are signing off on if we are going to be signing off on things. It gives her pause that no one can answer her questions about what we are supporting.

Eric said we have to decide tonight if we are going to support this or not, but he would invite Greg Tatro to come in and give us an update on Jenna's Promise. Kyle said she wanted that information before voting on this. That is why she can't vote yes.

Nat moved and Mike seconded to apply for the Robert Wood Johnson Foundation Culture of Health Prize.

Doug said because there have been grant applications we have participated in with Jenna's Promise he thinks we can say "we." Nat said it reminds him of things we have done with Laraway or Sterling Market in applying for money. He knows Jenna's Promise is a nonprofit and operates under open meeting laws and the Tatro's are very approachable. Kyle said she would just like to see something in writing.

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

7. *Resignation and Appointment to Intermunicipal Law Enforcement Study Group*

Eric said Greg Tatro won't be able to serve on the study group. Brian checked with Duncan Hastings and he is still available. **Nat moved to accept Greg Tatro's resignation from the Intermunicipal Law Enforcement Study Group and to appoint Duncan Hastings to replace him, Kyle seconded and the motion was passed.**

8. *Discussion of the Mission of a Racial Justice Committee and Notice for Volunteers*

Brian said before the meeting he circulated the resolution on creation of a joint town-village committee. He made a couple of changes based on the previous conversation about the bullet points. He added one bullet point and changed "racial justice" to "racial and social justice" in the bullet points. He believes that reflects sentiment expressed at the previous meeting.

Eric said the village included a solicitation for candidates in their newsletter. It is simpler and less wordy than the draft Brian circulated. It indicates that anyone interested who is not a village resident should call Brian. We could probably just copy and send theirs.

Kyle asked, the village already sent something out? Why did they feel that was okay? This is a joint committee and we should all be completely on the same page.

Eric said both boards left the joint meeting charged with getting candidates and neither was going to be directing the other on how they solicited candidates.

Kyle asked if we have ever had a joint committee like this before. Eric said not that he recalls. We have had joint committees of board members but not a committee where the boards solicited residents.

Kyle asked, Eric had no idea the village would be sending something out? Eric said no. He saw it in the newsletter the village sends out with the electric bill.

Kyle asked if Eric is saying both boards are charged with writing their own mission statements and guidelines for the same committee. Eric said the village didn't get into that level of detail just for soliciting candidates.

Eric read the solicitation for candidates put out by the village:
"Members Sought for Johnson Racial Justice Committee. The Village of Johnson board of trustees and the Town of Johnson selectboard have voted to form a racial justice committee for Johnson. Each board will appoint three members to the committee; therefore the village is seeking letters of interest from village residents who would like to be considered for an appointment to the committee. If you would like to be considered for one of the three committee appointments by the village trustees, please submit a letter of interest to Meredith Dolan, village manager." There were instructions for submitting letters by email, mail or using the drop box by Friday October 2, 2020. The notice also said, "If you are not a village resident but are a Town of Johnson resident interested in the committee, please contact the town administrator, Brian Story" and it gave Brian's email address.

Kyle said, so basically they wrote that on behalf of the village and the town? Eric said they wrote it on behalf of the village but because some of their ratepayers live outside the village they indicated that those people would have to contact Brian. Kyle said she finds that appalling. Eric said he didn't think we would check in with the trustees on what we wrote and he wouldn't expect them to check in with us on what they wrote. Kyle said she thinks it is very important that the mission is clear. She assumed we would be completely on the same page with the wording we were using. Mike said he doesn't find anything troubling in what the village said. He asked what Kyle found upsetting. Kyle said the draft we were working on it was very specific about the volunteer criteria. It called for people committed to racial and social justice. She was even going to suggest adding that they should be able to demonstrate they are committed. She feels we want to be sure people on this committee are actively engaged with the mission. Keeping it so vague, it could be interpreted in really different ways. She thinks that could do more harm than good.

Doug said at the August 24 meeting he and Kyle voted against the selectboard motion on the committee name and then there was discussion about the mission and we talked about adding social justice and there was consensus on that. We have a title and then we have a mission

statement. He thought the trustees would put out some information about how we see the mission.

Brian suggested that the board come to agreement on the mission statement. Nat said he wouldn't be comfortable amending it much without the trustees' involvement. Brian suggested that whatever the selectboard approves be presented to the trustees for their next meeting. He thinks the statement as it is now is pretty much what we agreed to at the meeting. He is comfortable soliciting volunteers based on this.

Kyle said she thinks it is important to have the inclusivity statement and anti-racism statement fully written out in the mission statement so people can see exactly what we stand by and support and do and do not tolerate. Brian said he doesn't think the trustees would object to that. Doug suggested a footnote saying that people can see the statements attached. Mike and Nat agreed with that idea. Eric said he is hearing majority support for that.

Kyle said she would like Brian to communicate to the trustees how important it is that we are on the same page about this. We are already shooting ourselves in the foot if we are not being clear about criteria. If we have people coming in with very different ideas we are asking for the committee to be very unproductive.

Brian said he will communicate our belief that this is our best take on the shared mission as discussed at the joint meeting. The boards chose not to vote on it at the joint meeting because we had language we wanted to refine but he believes the content was pretty well agreed upon by both boards.

Doug moved and Mike seconded to approve the mission statement for the racial justice committee as presented, with the addition of asterisks referring to attachments containing the inclusivity statement and the anti-racism statement, conditional on village trustee approval. The motion was passed in a roll call vote with Kyle opposed and Mike, Nat and Doug voting in favor.

Eric said the trustees meet next week and we meet the week after that. We could solicit for candidates after we find out if they approve the mission statement or we could tell Brian to start now.

Kyle said she thought we were going to tweak the language for the solicitation. She had suggestions and she thought others did also. And a member of the public sent an example of what Hardwick is doing which she thought should be considered.

Doug said he thinks we should wait until the trustees and the selectboard have agreed upon a mission statement. He doesn't think we need to wordsmith the Hardwick language into it. Nat said he is comfortable soliciting for candidates using the village's language. He thinks it would be good to mirror that language. Kyle said she disagrees. She had sent a proposed change in language to Brian. In the first bullet point she thinks we should add that candidates should be able to demonstrate a commitment to racial and social justice – trainings, books, activism work, other committees they have been involved with, etc. Doug said he suspects

there is disagreement on the board on whether that is a necessary requirement for being on this committee. He thinks we should wait to solicit until after we have a response from the trustees. Nat said he feels like if we wait we will keep kicking it back and forth and waste time.

Kyle said she thought Brian said there was other input on the solicitation for candidates and we should discuss it at the next meeting. Brian said there was more input on the mission statement than about the call for volunteers. The only comment specifically on the call for volunteers was from Kyle. Eric said he asked Brian to start soliciting unless anyone had concerns and then he should wait until the meeting. Kyle said this is very frustrating. She wants to be heard. Eric said he doesn't understand where she is coming from.

Rick Aupperlee said he thinks the town and village need the same language. When did the trustees draft their call for volunteers without a public meeting? He asked for leadership. When all the elected officials were in the room the selectboard wouldn't support the trustees' decision to fly the Black Lives Matter flag. It didn't even get a second. The board didn't take it seriously. He gets Kyle's frustration. He thinks there really needs to be something that is agreed upon by both boards. He thinks the boards should stop making this political and treat it as a human rights matter and deal with it.

Nat said the selectboard voted to raise that flag twice previous to Rick asking them to take a vote on it again. Taking the same vote over and over again won't change things.

Rick said he asked the selectboard to vote to support the trustees' decision to show the community that there are not two boards that don't agree with each other. People in the community want some sign of unity. Board members are the people elected take. They take an oath to uphold justice and yet they have to form a committee to decide what racial justice is. He thinks they should do their jobs.

Brian said there were a couple of public comments in the chat saying the town and village should use the same language in soliciting committee members. There was a question about whether we had read the Hardwick statement.

Kyle said she would like all the public comments read verbatim. Eric suggested that instead everyone who would like to speak be allowed to speak.

Jackie Stanton said the comments in chat were about things that were being discussed in that moment. She agrees with Kyle about reading them; it doesn't take long. She thanked Kyle for her leadership. What she is witnessing in this meeting is serious gaslighting. Kyle says things and people pretend they don't understand or leave her hanging. This leadership is disheartening.

Brian reviewed the chat comments. Margo Warden asked if we had read the Hardwick selectboard statement. Walter Pomroy referenced the minutes of the joint meeting, saying that the selectboard will appoint 3 committee members and the trustees will appoint 3 and both votes were unanimous. Greg Tatro commented about something else. Cal Stanton asked

that comments be read publicly. Rick Aupperlee said both boards should use the same language. Scott Meyer said the village was asked to read each chat and did.

Beth Foy said she understands Kyle's feelings. Everyone has very different perspectives and biases and people come from different places. It is difficult to feel like you are the other. That is the reason for the committee. She wants to point out something equally as important and that is respecting everyone. She strongly agrees with Rick about division within our community. She thinks there is too much disrespect. We have to be willing to hear others out and not shut them down even if we don't agree. A little bit of disrespect has been happening over the last few months. There have been things that were for the right intentions, for the right reasons, but delivered in the wrong way. We should be willing to hear each other and work for what is best for the community. We have to respect each other. We have to live with each other. We have to call each other out when we are not being respectful of each other. Those here are all good people.

Brian said there were a couple of chat comments in support of what Beth said.

Eric asked if board members want to keep working on the draft call for volunteers or wait for the trustees. Nat said he is ready to go, but not if other board members don't want to. Doug said he would first like to have a unified position on what the mission statement is that we will be evaluating candidates on. Kyle said she wants to continue tweaking the solicitation. Mike said the village solicitation was already sent and went to a lot of people in the town too. He thinks he would support Nat but could go with what Doug wants.

9. *Accept Resignation of Public Works Supervisor/Highway Foreman and a Public Works Operator*

Brian said we have received Brian Krause's resignation. He was very satisfied in the job but his family situation is changing and he is moving out west and resigning at the end of October. We also received a formal resignation from Ray Gilcris for his retirement at the end of September. September 30 is his official last day but he will probably take a day or two of personal time at the end.

Eric said our initial thoughts were not to initially replace Ray because we didn't know how we would be sitting financially. But with Brian Krause's resignation he asked Brian Story to run a couple of scenarios. If we decided to replace Ray and Brian K. at the same time the starting salaries for their replacements would be lower than the current employees' salaries so might realize savings and be fully staffed, though having to train people. If we only replace Brian we will still be down one employee for the winter as we originally planned.

Mike moved and Doug seconded to accept the resignation of Brian Krause and the retirement notification from Ray Gilcris. The motion was passed.

Eric asked, do we want to replace Ray and Brian or just Brian? Mike asked if Brian ran a scenario with a new employee who comes in fully trained. Brian said no, but he could make that change easily. He estimated the new employee at \$20/hr, which is high but not maxing out our pay chart. That represents a highway operator with moderate experience. A key assumption is that the amount of hours Ray worked last winter will have to be made up

somehow, either with additional overtime or more use of part-time seasonal employees. We have one now and he is hoping to secure a second. The two scenarios he looked at have different amounts of overtime vs. use of part-time employees. The reason for not replacing the highway operator position would not be immediate cost savings. It is about what we would have to do next year if we received less state aid for highways. We would be less flexible to adapt to that if we replaced Ray now. He recommended against replacing Ray in the short term but with Brian K.'s resignation, balancing the risk of a decrease in state funding against helping our new foreman have a successful entry, he thinks he supports replacing Ray.

Eric asked if Brian's first scenario assumes having to backfill Ray's hours one for one. Brian said yes. Eric said that is a worst case scenario. We probably wouldn't have to replace that much. Brian agreed.

Mike moved and Doug seconded to advertise for both the public works supervisor position and the public works operator position.

Nat said Brian's scenarios don't include healthcare or other benefits. Brian said that is right. It is hard to estimate the cost of benefits. It depends on the plan the new hire chooses. He sees that bringing up the cost of a new hire to be pretty much in line with scenario one.

Nat said getting reduced funding from the state seems more and more likely every day. Brian said we would hate to have to let someone go, but that could be what we are left with. Doug asked, how do you approach replacing a position where the funding is suspect for the next fiscal year? Brian said the same way we replace any position. We will do our best to maintain employment but our money comes from the public. If the public is faced with a recession we are affected. He likes having the flexibility but it's not an easy decision. He imagines it will be a less desirable position than when we last advertised.

Eric asked if there is any thought that by advertising both positions at the same time we might get a candidate who can't really fill the supervisor position but might fill Ray's position. Brian said he does like that idea. He doesn't know if someone applying for the foreman position would take the operator position but we do have a pretty young crew and he would like to have some experienced personnel in the shop as well. With Brian and Ray gone that will be a weakness of the current crew.

Eric asked if there are many job openings now. Brian said there are more than he would like to see for foreman. There are half a dozen foreman positions open statewide right now.

Kyle said she is in support of hiring for both positions.

Eric asked how quickly we can hire. Could we have candidates in here quickly enough to do a little overlap, especially with Brian? Brian said he expects with Brian K. we can, but with Ray it is unlikely.

Brian showed drafts of the job advertisements. He noted that most of the time we should use public works supervisor as the title but we want to include highway foreman because that is included in some state statutes. The position will have two titles but we should generally use the supervisor terminology. Brian said he wants to meet with Jill Muhr of VLCT to go through our public works supervisor job description and make sure it is clearly a management position that is exempt from the union and then start soliciting for applications.

Eric asked, since Brian K. was the first salaried person in that position, does the board feel comfortable going ahead with continuing to make it salaried? Mike said it might depend on what we have for applicants. We may have candidates who may not want to work on salary. They could be taking a pay cut if they currently are paid an hourly rate with overtime.

Eric said if we post it as a salaried position we are pretty much limited to that. Mike asked if there is any way we can leave it negotiable. Brian said we can take out the salary part and we can determine the pay later, but he will want to check with VLCT HR support. He feels strongly that we do not want this to be a union position. He doesn't think the salary determines that but he doesn't want to change anything that makes it union eligible.

Mike said we can go with what we have and if we don't have any candidates we will have to change. Doug said a salaried position provides predictability in terms of expenditures for us. If the new person is paid hourly and gets overtime, the numbers Brian showed may not be accurate. Eric said one reason we went to a salary for the supervisor was that if they are paid hourly they have no incentive to send people home when work is done. There is more incentive for them to send employees home when work is done if they are salaried. Mike said we should leave it as salaried and see where it goes.

Brian asked if we want to talk about the salary range we are expecting. The median paid salary for all highway supervisor positions is \$58,747. His recommendation would be to set the range at \$55K to \$65K, depending on experience. Board members agreed that sounds good.

Nat asked what our highest take-home pay is now for a public works operator. Brian said he doesn't have that information with him. Mike asked, it is around \$55K, right? Brian said it is around there. He can have that information for the board before we make an offer.

Nat said if \$63K is the highest public works supervisor salary Brian found, he doesn't know that we could justify offering \$65K. Brian pointed out that there are higher salaries than that. He would like to have a little flexibility on salary but he doesn't see us going above \$65K. Eric asked if Brian's comparative salary figures include any of the local public works supervisors. Brian said he wasn't able to sort by county but his list is of towns within 2K of our population. It is limited to who responded to the survey so not all towns are included.

Brian suggested leaving pay out of the job description and giving out info on the pay range when asked and the board agreed to that.

Brian showed the draft job posting for the public works operator position, which does give a starting salary based on our pay scale.

The motion was passed.

Brian said applications should be in by September 28 so he can make a paper cut and do first interviews. He would appreciate having a board member sit in with him for those interviews. Mike volunteered to do that. Then he would bring the board a slate of candidates to review more thoroughly. Eric suggested getting it down to 3 or 4 for each position.

Nat asked about where will post the positions. With regard to social justice, this is a good opportunity to be aware of and examine our hiring practices. He would suggest maybe thinking a little outside the box about where we post. The Vermont Works for Women website has an area for employment opportunities. Eric asked where Brian typically posts. Brian said he posts on the Local Roads website, with VLCT and in the News & Citizen. Last time he also used Seven Days and it was a little expensive but yielded a few applications. Nat said he thinks advertising in Seven Days is worth it. Maybe we should consult with a statewide expert on social justice issues like Bor Yang or Xusana Davis and ask if they have recommendations. Brian said he can reach out to REAL or state agencies to see if they have any non-traditional job boards to suggest.

10. Other Business

Brian said Friday at 5:00 there will be a discussion on the Working Communities Challenge. It encompasses a lot of Lamoille County, not just Johnson. If we receive a grant it will be \$300K given over 3 years. The plan we are working on is to help make connections between employers and employees who are in transition, new to the job market, returning to the job market, etc. and need assistance in applying for jobs. A large part of the money would be used to pay for a staff person whose job is to help people connect and get work.

Greg Tatro said Jenna's Promise will be having a fair food fest and Lamoille County Field Days on September 25, 26, and 27. Proceeds will be split with the fairgrounds. He is open to speaking to the board any time to get people up to date on Jenna's Promise. They will have the coffee shop. At the old church they will have a new mothers' group and some recovery groups. There will be a community center upstairs, a place for meetings. CHSLV had a few financial issues. They lost 3 of their doctors and their general manager. The Tatros haven't heard anything from them. The clinic is still a possibility but CHSLV has gone dark. As far as the Culture of Health prize, the only reason we would put it together would be if we have a better chance next year if we apply this year. As far as where the money goes, that is up to the Town of Johnson. It is not a shoo-in for Jenna's Promise.

Jackie Stanton said she has a procedural question about protocol around email communications and what a citizen can expect from this board. She noticed in chat that Margo asked if the board is familiar with what the Hardwick selectboard is doing and no one responded. About 2 weeks ago she forwarded documents from Hardwick regarding their equity resolution and committee to Brian and Meredith and both chairs and never got any response back. Then she forwarded them to members of both boards and got a couple of responses. What is reasonable for a citizen to expect? It feels a bit disrespectful not to get any

response. Do the board managers and chairs customarily share things they receive with their boards?

Eric said if an email is asking question or something of that nature he definitely will respond. Whether he would forward it to the full board or not depends on what the content is and who is already copied.

Jackie said in this case Eric and Brian decided not to forward what she sent to the board. Why would that be? Eric said he probably didn't check to see if other board members had gotten it.

Jackie asked what she can expect for a response.

Nat said if he gets an email that has a question or asks something of him specifically, to the best of his knowledge he responds to each. He does get dozens of informational emails that he does not reply to. In a lot of cases replying would seem out of place.

Doug said he received the information from Jackie and put it in his racial justice file folder. He did not respond. He treated it as information to him.

Kyle said she recalls we have had this conversation in the past. Others have been frustrated about response time or lack of response to emails. She thinks public input is valuable and if someone has taken time to research and send something we should take time to respond and get the information sent out to the board. She found that document very helpful. Had we gotten it a week earlier when it was first sent it would have given her more time to digest it and help her thought process. She thinks we need to be better.

11. Adjourn

The meeting was adjourned at 9:07.

Minutes submitted by Donna Griffiths