

JOHNSON SELECTBOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
WEDNESDAY, MARCH 7, 2018

Present:

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

Others: Brian Story, Rosemary Audibert

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Eric called the meeting to order at 7:00.

Nat and Doug took the oath of office for the selectboard.

2. Additions, Changes to Agenda

The board agreed to add discussion of the hiring process for the highway position and discussion of 2018-2019 budget changes.

3. Make Appointments to the Town Offices

Eric turned the meeting over to Doug.

Nat nominated Eric for board chair, seconded by Mike. Hearing no further nominations, Doug closed nominations. **The board voted to elect Eric as chair.**

Mike nominated Doug for vice chair. **The board voted to elect Doug as vice chair.**

Mike moved and Nat seconded to make the following appointments:

Road Commissioner: Brian Story

Road Foreman: Brian Krause

First Constable: Sharon Duffy

Second Constable: Tracy Myers

Fence Viewers: Blaine Delisle, Margo Warden, Kathy Black

Official Weigher: Michael Patch

Tree Warden: Noel Dodge

Health Officer: Sharon Duffy

Deputy Health Officers: Brian Story, Tracy Myers

Emergency Management Director: chairman of the selectboard

Energy Coordinator: Howard Romero

Town Service Officer: Michael Dunham

Inspector of Lumber, Wood and Shingles: Richard Simays

Green Up Day Chairman: Laura Branca

Planning Commission: Rob Rodriguez, Paul Warden, Kim Dunkley

Recreation Committee: Heather Rodriguez, Nat Kinney, Michele Boyden, Agata Bal,

Lisa Crews, Kerri O'Hallaran, Hillary Hoag, Geraldine Carpenter, Laura Whitehill,

Suzanne Dodge

Johnson Skate Park Committee: Casey Romero, Howard Romero, Greg Fatigate, George

Agnew, George Swanson, Jon Girard, Rick Aupperlee

Conservation Commission: Lois Frey, Eric Nuse, Dean Locke, Laura Branca, Sue Lovering, Noel Dodge, Denise Krause

Tree Board: Sue Lovering, Rob Maynard, Noel Dodge, Dorcas Jones, Louise von Weise

Fire Warden: Gordon Smith

Town Historian: Linda Jones

Johnson Historical Society: Linda Jones, Dean West, Lois Frey, Tom Carney, Alice Whiting, Frank Dodge, Duncan Hastings, Dick Simays, Jane Marshall

Official Pound: Lamoille Kennels

Beautification Committee: Doug Molde, Gordon Smith, G. Todd Haun, Kyle Nuse, Brian Story

The motion was passed.

Doug asked about his role in emergency management if Eric is unavailable. Eric said if he is unavailable Doug would be acting chair, but if there were an emergency situation, Gordy would be acting Emergency Management Director. Doug, as acting selectboard chair, would have to be involved, though, as any expenditure of money has to go through the selectboard. Nat said if our list of officers says the Emergency Management Director is the chair of the selectboard and Doug is acting chair then he would be Emergency Management Director. Eric agreed but said Doug would probably delegate most of it to Gordy.

The board agreed to leave the offices of Grand Juror, Agent to Convey Real Estate and Trustee of Public Money vacant.

Doug moved to appoint David Marvin as Plot Cemetery Agent, Nat seconded and the motion was passed.

4. *Review a Request to Provide a Quit Claim Deed for Parcel 355-175 on Fox Lot Road*

Eric said there is a property with a covenant on it showing the town has a possible interest. The owner would like it released before selling the property. Doug explained that when lots were originally plotted out, some were given to the town, to UVM, or to some other institution. The land belonging to the town was basically leased out for a payment of a few dollars a year. The land may originally have been 100 acres but it has been subdivided. We are owners of this lot with a lease that completely overrides our ownership. The payment owed us has gone down in value so much that it isn't worth handling it. He feels we should provide a quit claim deed in situations like this. We should let the owner know we are prepared to give up our interest and ask them to prepare a deed that we will run by our attorney. The board agreed to have Brian ask them to do that.

5. *Review and Approval of FEMA Flood Mitigation Grant Application(s)*

Brian handed out an information sheet on a FEMA buyout program that homeowners in flood prone areas are eligible for. The property owner agrees to give up their property and receive a buyout. The grant appears to pay for demolition and cleanup of the lot. The handout says the town or property owner is responsible for the 25% local match. Lauren Oates at Vermont Emergency Management assures us the homeowner will be responsible for the 25%. The grant is applied for through the town, but the homeowner is guaranteeing the funds. The town should not be on the hook but will end up being the owners of the property.

The only homeowners Brian knows of who are definitely going through the program are Laura and Gilles Lehouillier. They are interested in a buyout for their property near the School Street/100C intersection. The house is not in good shape and will not last much longer. They can't rent it out anymore. They will get 75% of the value of the home. Brian thinks the building qualifies for the program although it has not gotten inundation flooding.

Doug said he would like to see the phrasing that makes the town not responsible for the cost. Brian said the board can review the completed application before it is submitted and he won't sign anything without board prior approval. Another issue is that the reason the Lehouilliers have to get rid of the house is that pressure on the road is causing the bank to slide out from under the house. That will damage the road. He is looking for confirmation that if we end up owning the property we will not be responsible for that damage. There will have to be bank stabilization and reconstruction on that site.

Nat asked if the Lehouilliers are responsible for tearing down the building. Brian said yes. Nat asked what condition they will leave it in. Will they leave a cellar hole or fill it in? Brian said we will have to go over their demolition plans. They get reimbursed for taking the building down. He thinks it would be reasonable for us to make requests about the condition we would like the property to be left in.

Brian asked if the board is conceptually in agreement with having homeowners fill out applications for this program. Doug said he thinks avoiding having a derelict building is useful. Nat said he wants to make sure what we take ownership of is not a liability. Doug agreed. He said that may be more of an issue for the Lehouillier property than for some others. The state has allowed that house to be there although it is clearly within the road right of way. He would be interested in finding out how the state will regard ownership and what the usage possibilities are once the house is gone. Eric said we might own the lot and only have rights to 3 feet before the river because the rest is in the right of way. Doug said he thinks we should discuss that with AOT. Eric asked, aside from specifics related to the Lehouillier property, is the board conceptually okay with this program?

Doug moved that the FEMA Flood Mitigation Grant program be made available to citizens, seconded by Nat. Brian said the board will have the opportunity to review any application anyone makes. **The motion was passed.**

6. *Review and Approve an Additional Temporary Attorney*

Brian said the board appointed Richard Fox to be temporary town attorney to work on the McCuin Island matter. We have had a couple of issues come up since then. We will need review of the quit claim deed that will be drawn up and we had a question about whether a particular change to form based code would be major or minor. Fox's specialty is real estate matters. We might consider also working with Jim Barlow while we look for a permanent replacement.

Mike asked what Jim Barlow's rates are. Brian said he doesn't know.

Eric said he has worked with Jim Barlow. He was an attorney with VLCT for a number of years and Eric has the utmost respect for him.

Doug said we will need an attorney to do work necessary to close on the Jewett property. That would probably be Richard Fox. Eric said for the form based code question Jim Barlow might be more appropriate. Brian said Fox said he would have to do some research before he could answer the form based code question. He would rather use someone with more experience in that area.

Doug moved to hire Jim Barlow as a second temporary attorney for purposes other than real estate, seconded by Nat.

Mike said he is curious about his rates. Eric asked if Brian can provide the rates for both Richard Fox and Jim Barlow at the next meeting. Brian said he would.

Eric suggested a dedicated meeting for interviewing potential permanent attorney.

The motion was passed.

7. *Highway Position Hiring Process*

Brian said we have collected about 5 applications for the open town highway position. He thinks it makes sense for him and Brian Krause to review resumes and remove obviously unqualified candidates. He asked how the board feels about him and Brian K. doing the first round of interviews. The board agreed that Brian S. and Brian K. should narrow the field down to 2 or 3 qualified candidates to bring before the board.

8. *Discussion of 2018-2019 Budget Changes*

Eric said we had \$30K cut from our budget by the voters. He wants to provide Brian with direction to bring budget proposals to us for our next meeting. He thinks we probably will want to look at the fifth highway position. He doesn't think we will find \$30K of cuts in general. He thinks it will have to come from the highway department – possibly cutting back on mud abatement projects or paving. Probably Brian S. and Brian K. need to discuss possibilities then bring some before the board, with ramifications of each. Mike said he would hate to see any money cut from paving. Doug said guardrails is an area that could be looked at. That is a place where he thinks there might be large ramifications.

The board agreed that Brian S. should go through the highway budget with Brian K. and go through the general budget with Rosemary, looking for possible cuts or places where revenue could be increased.

Nat said he thinks we have been conservative with some estimates, especially PILOT funding. We might be able to increase that. Rosemary said she was thinking of ideas like that.

Brian said he was thinking we might be able to tighten up expenditures on gravel and sand. But that will mean spending more money later. Doug asked if we can use our gravel pit more and buy less. Brian said yes, but the problem is that with less left in the pit it is harder to find the specific type of material we may need (finer or more gravelly.) Eric said if we go back to using our pit regularly we will be out of it in 2 or 3 years. Nat said Duncan had interesting feedback about time spent moving gravel. Brian said he thinks Duncan is overstating how

much time is spent moving gravel but there is a huge amount of liability involved in a gravel operation. Buying it is more expensive but it is a lot easier and frees us up to do more other things.

Eric said if we decided to take the fifth highway employee out of the budget maybe in the future it could be put before the voters as a separate article.

9. Ice Jam Update

Eric said he is officially closing the state of emergency. The whole river is open.

Doug said we have a lot of ice blocks on people's land. Do we just let them melt? Brian said we have had a few people ask us to clean up ice containing sod and sediment from culvert cleaning. Doug said he was thinking about what we removed from the river. Eric and Brian said the ground is too soft now to access the areas where that ice is.

The board discussed sending thank you letters to property owners who let excavators go across their land and to others who were involved in helping the town deal with the ice jam. Brian said he will draw up some letters and bring them to the March meeting for the board to sign.

10. Board Priorities

Eric said the revolving loan fund, the Jewett property and form based code are all on our plate. We have to wait for the village vote before moving ahead with the merger consultant. Doug said other issues include McCuin Island and the blighted buildings ordinance. Nat said we need to look at a new gravel source.

Doug suggested that people bring lists of issues to the next meeting and then maybe discuss them at another meeting. He thinks a joint meeting with the trustees is appropriate at the start of the year. Eric said the board may need a meeting just to discuss priorities. We should wait for the joint meeting until after the village annual meeting.

11. Adjourn

The meeting was adjourned at 8:05.

Minutes submitted by Donna Griffiths