

JOHNSON SELECTBOARD/TRUSTEE BOARD JOINT MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
SUNDAY, FEBRUARY 23, 2020

Present:

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

Village Trustees: Scott Meyer, Gordon Smith, Bob Sweetser, Phil Wilson

Others: Brian Story, Meredith Birkett (by phone), Walter Pomroy

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order - Selectboard*

Eric called the selectboard to order at 1:00.

2. *Changes, Additions to Proposed Agenda*

The selectboard added a liquor license request.

3. *Discussion of Merger Study Report Next Steps*

Eric said some issues have been found with the report from the merger study consultant. It has already been sent to the printers. In order to get it out to voters before town meeting day it had to be sent out that quickly. Do we want to stop it from being printed and tell people at town meeting that a corrected version of the report will be available at a later date or let it go and talk to the voters about the mistakes that are in it?

Kyle asked, can we hear what the mistakes are? Eric said he doesn't have them all in front of him. Walter said he could talk for half an hour about mistakes he found. Brian said he has a list of mistakes.

4. *Call to Order – Village Trustees*

Gordy called the trustees to order at 1:02.

5. *Discussion of Merger Study Report Next Steps (continued)*

Gordy said he has notes Meredith emailed him. She had asked for some corrections that were not done.

Phil asked when the report was received from the consultant. Eric said Friday afternoon. Brian said he and Meredith got it early and reviewed it at Kent's request and they had comments and corrections. Mike said he believes it was done that way so there would be no sense that there was any collusion between the boards. Brian said that is right. It is the consultant's report, not produced by the town or village. He believes Kent's rationale was that it was going to be his report and he wanted to avoid having our hands on it too much or too much back and forth argument, so Brian and Meredith would make their factual corrections and then let it go.

Mike said when the report was first sent to him he tried to remember everyone who was at that joint meeting and he forwarded copies to those people. One of them was Walter Pomroy, and he started identifying mistakes, some quite glaring. He thinks this meeting may have something to do with Mike's effort to get this to be an accurate report. He thinks it should be the most accurate report that we can get into the hands of the voters. He would rather have no report than an inaccurate report. If there is no way to make changes before it is printed he thinks we should just pay the printing fee and not mail it out. He does not want to have the

people of the town and village say we wasted two years and spent \$10K for the report and \$1200 for mailing and have a report sent out with many flaws. He would rather wait and get it cleaned up and have a special town meeting and a vote where everyone is informed 100%.

Meredith said when she and Brian reviewed the report she thought they were reviewing it before it went to the boards. She didn't imagine it would go out to the media and the public before the boards had a chance to look at it. Her review was not to make it ready to go to the public, but to make it ready to go to the boards to look at it before it went to the public. There were errors she and Brian asked to be corrected but the corrections didn't make it into this version. If she had believed this was a version that was going to be sent to the media, she would have double and triple checked it. It is important to understand that we were not all on the same page about what was being done with this report.

Scott said he fully agrees. Why didn't the boards get this before it went out to the public and media? Eric said when we had the joint meeting with the consultant and he announced he would have the report in two weeks, that night when the selectboard set the articles for town meeting they decided to put in one about the merger question. We expected we would get it in a couple of weeks and the boards would have an opportunity to look at it and then we would get copies to the voters. But we didn't get the final version until Friday. The printer needed it by Friday afternoon to guarantee it could get to the voters before town meeting. Now we find out there are mistakes and we already have an article on the warning.

Phil asked if we could have it printed and available at town meeting if it is going to be discussed. Eric said if we can't get it to every voter, we will probably just say at town meeting that it will be available at a later date. If it is only available to those who show up at town meeting, that is something Dave Williams would have an issue with. Phil asked what the wording of the article is. Eric said it is something like "hear the report" or "see the report." Mike said "discuss the report." Eric said it would not be fair to voters to throw this at them when they walk in the door at town meeting and expect them to have an opinion.

Scott asked, what is the responsibility of the consultant who put the report together if it is flawed? Brian said he would say it is entirely his responsibility. He is the author of the report. We are not.

Bob said he did send it to Brian and Meredith to check. Brian said yes, and they provided comments and changes. It looks like some of the changes they requested were made and some were not made, and Walter and others found more errors.

Scott asked if the consultant is paid in full. Brian said he would have to ask Rosemary but he believes so.

Phil asked, is the consultant not willing to make further edits? Eric said he is sure he is. But a corrected version can't get to the printers and the voters in time.

Bob said we have to assume some responsibility because the report was taken in error to a different level than what it should have been. We have to tell people at town meeting that we found some errors and we will get it corrected and come back.

Nat said for sure we should table discussion of the report for town meeting. Are we able to cancel the print job? Brian said he assumes so. It only started Friday afternoon. Nat suggested canceling the print job and certainly not mailing out the current version of the report. He suggested that the two boards should independently give Kent lists of feedback and give him an opportunity to correct the report and get it back to us. If each board accepts the second draft, then we can disseminate it.

Bob said he would like to have Walter point out errors he has found.

Eric asked if the trustees plan to have this on their agenda. Gordy said they will discuss it at tomorrow's meeting. Eric said either body can veto the merger study. If the village voters decide at the village's annual meeting that they are not interested in merger, then the town doesn't even have to take it forward.

Phil said we probably want more of an informed discussion, not just, "Here it is; vote on it." Eric said you would want to send the report out to all residents first.

Mike said the town could vote on town meeting day to forget about merging. Someone could make that motion from the floor and someone could second it, because it is a matter that is warned for action. Eric said it's non-binding. Mike said it would be foolish to go against the voters, though. Eric said he thinks there would be hesitation on the voters' part to vote on something they haven't even seen.

Gordy said he would like to see Donna Griffiths send all the trustee and selectboard minutes to both boards. A lot of board members don't read the other board's minutes. That might prevent miscommunication. He thinks both boards should have been aware before the report went to the general public and the newspaper. The village is paying 40% of the cost of the study. It should have been discussed by both boards before it was mailed out. The village should have been part of the process. Not including Meredith and the trustees showed a lack of courtesy to the trustee board. We should be working together. He thanked Mike for calling him last night. If not for that, he wouldn't have known about this meeting. He called the other trustees and Meredith to make sure we were involved in the meeting. Brian said he emailed Gordy and Meredith as soon as the selectboard discussed scheduling the meeting. He didn't have Gordy's home phone number to call him directly. Gordy said when he talked to Meredith she didn't know anything about it.

Gordy said this report doesn't show any of the negative repercussions if the village general goes to the town. There are a lot of financial and logistical issues. For instance, the town would have to buy new equipment that the village now uses and find a place to store it. The legal expenses would be enormous. He said he would like to see what Walter has to say.

Walter said he feels bad numbers lead to bad results lead to bad decisions, so he thinks the selectboard is making the right decision not to discuss this at town meeting. He found factual errors and misleading numbers. Sometimes the omission of a number is misleading. It is probably best if he sits down with Meredith and Brian and goes over what he found. He gave some examples. The numbers shown for village and town taxes are wrong. The statement that only the village general department relies on property tax for funding is wrong. Only 70% of fire department costs are funded by the towns; the rest is paid for by village taxes.

Mike said he is very disappointed in this study. We need to have the most accurate report available for our voters. We should not mail this out.

Doug asked if it is possible to stop printing and have an electronic copy of the report we could distribute at town meeting. Brian said if we are going to have both boards meet and vote and accept each other's changes we won't have time for that to happen before town meeting. Bob said it won't be fair to just have the report available at town meeting because maybe some people who are not at town meeting would have come if they had read the report. Brian said that was the purpose of sending it out.

Kyle said she was surprised by how quickly the report got done compared to how long we were originally told it would take. She feels it was a bit rushed.

Nat moved and Mike seconded to stop printing of the consultant's merger study report and that the selectboard gather feedback, revisions and corrections, send them to Kent Gardner quickly, allow Kent to revise the report and return it to Brian and then have the report go to the selectboard for approval before it is published. Mike asked if Walter will work with administration. Eric said that is up to Walter and administration. Scott suggested adding Meredith and the village trustees to the motion because we are supposed to be working together. Nat said he was hoping we would work in tandem. **Nat and Mike agreed to a friendly amendment that the report is to be returned to Brian and Meredith and approved by both the selectboard and the village trustees before it is published.**

Doug said he is concerned we are reviewing more than facts. He wants it to be the consultant's report and not ours. Scott said if conclusions are based on bad data that needs to be fixed. Nat said when people who have strong feelings about the outcome are allowed to change the report or the data there is potential for the report to be skewed. That is why he proposes we give our feedback to Kent and have him be the arbiter of whether the new information skews the report. Mike said he just wants to change figures, not the narrative. Doug said the numbers may have affected the conclusions but it is up to Kent to determine that.

Meredith said she is happy to hear that we won't spend taxpayer dollars sending out something incorrect. There was no communication to the village that this was being printed. She feels offended and left out. She will spend the afternoon writing an email to the News & Citizen because they have a report with incorrect information that we don't want to go out to the public.

The motion was passed.

Bob moved and Scott seconded to stop printing of the consultant's report and that the selectboard and village trustee board gather feedback, revisions and corrections, send them to Kent Gardner quickly, allow Kent to revise the report and return it to Brian and Meredith and then have the report go to the selectboard and trustee board for approval before it is published. The motion was passed.

6. *Adjourn – Village Trustees*

It was moved and seconded to adjourn the village trustee board meeting at 1:29 and the motion was passed.

7. *Liquor License Request*

Kyle said on February 29 the Studio Store is hosting a story hour event called Johnson Speaks. They are hoping to serve Ten Bends beer. Ten Bends is not able to provide a server so they have someone certified through the state to be the server. The store has certification through the state and just needs selectboard approval. The event will be from 7:00 to 9:00 on February 29. No one will be leaving with alcoholic beverages.

Nat moved to approve the liquor license requested for the event at the Studio Store on February 29, Doug seconded and the motion was passed with Kyle recusing herself.

8. *Adjourn – Selectboard*

The selectboard meeting was adjourned at 1:31.

Minutes submitted by Donna Griffiths