

ANNUAL TOWN MEETING MINUTES

March 4, 2014

Moderator David Williams called the meeting to order at 10:52. He reminded those present to either be checked off on the checklist or, if not legal voters in Johnson, sit in the bleachers. He read the warning.

Article 11. To review the reports of the town officers and others as included in the Town Annual Report.

Bobby Hoag moved approve the reports of the town officers and others as included in the Town Annual Report and the motion was seconded.

Eric Osgood said this year's Annual Report is dedicated to the Historical Society, a great group of dedicated people who have been working hard and have sold a lot of pies and now have a home. They are hard at work getting it renovated and ready for the public. He presented a town report to a representative of the Historical Society. There was a round of applause.

The motion was passed by unanimous consent.

Article 12. To establish the rates of compensation for the Town Officers.

David Butler moved that rates of compensation stay the same as the current rates: \$1200 per year for the chair and \$1000 per year for each of the other members. The motion was seconded.

Bobby Hoag asked if selectboard members even get minimum wage. Selectboard members said no. Bobby Hoag said he thinks it is against the law to pay them less than minimum wage.

Bobby Hoag moved to amend the motion to make compensation equal to minimum wage and the motion was seconded. Eric Osgood said he doesn't think the selectboard works any harder than the school board and he wishes the school board had been offered the same compensation. Traditionally the selectboard has been compensated at the same rate as the school board and he would feel uncomfortable with a difference. He urges that the amendment be voted down. Howard Romero said the selectboard probably has about 15 meetings a year, which means they make about \$20 per hour. Jon Gregg said they do this as a public service and it demeans the effort to talk about whether they are getting minimum wage. They are not there to earn minimum wage. **The amendment failed by a voice vote.**

The motion was passed by a voice vote.

Article 13. Will the Town vote a budget to meet the expenses and liabilities of the Town?

Eric Osgood moved to approve a budget of \$2,240,383 to meet the expenses and liabilities of the town and the motion was seconded.

E. Osgood said the proposed budget is about a 4.5% increase from the previous year. The estimated impact on taxes for a \$100,000 home would be an increase of \$49.64. The tax rate would increase by a little under 5 cents. A little under 2.5 cents of the increase is due to the purchase of the Holcomb House for the Historical Society that was approved by the voters. A little over half a cent is for general government. Those working in the office received a pay increase and allocations of time for shared town/village employees were changed to reflect how time was actually being spent, which resulted in an increase in the amount paid by the town. Health insurance costs decreased somewhat. A one cent increase goes to public safety. Twenty-eight percent of our budget is for public safety. About half a cent of that is for sheriff patrol, which is the biggest item under public safety. Another half a cent is for the fire department. The fire department has established a small equipment reserve fund for replacement of small gear as needed. The selectboard was very supportive of this proactive step. A little under 2 cents of the increase is for the highway department. There were a number of adjustments to the highway budget, some increases and some decreases. The largest increase was about half a cent for winter sand. We have been purchasing more sand from Nadeau as it is higher quality material and will help make our sand pit last longer.

E. Osgood pointed out that the total budget number shown on p. 21 is \$2,191,400, but the number in his motion is about \$49K more than that. Where did he get that number? It includes the principal being paid for the Holcomb House. If we add together our expenses (the total budget) and our liabilities (the note on the Holcomb House), we get the total revenue that needs to be raised, and that is the figure he presented in his motion.

Bobby Hoag asked how our salt is holding out. E. Osgood said although a lot of communities have been having trouble getting salt, we have not had a problem yet. B. Hoag asked if in future we should double the amounts of salt and sand so we won't have an issue if we get more rain and ice. Eric said we have a space constraint. Duncan Hastings said we put all the sand up in advance of winter and we order salt several times each winter.

Katie Orost requested that in future years the selectboard provide a percent change column in the budget sheets, as the school board does. She also would like to see the fire department provide actual expenditures for the prior year, so all budgets would be presented in the same format. Eric Osgood asked if voters would like to see a percent change column. He said it has never been included because more columns would mean smaller print and would be harder to read. The selectboard could request that the fire department show actuals. He thinks they would accommodate the request. Duncan Hastings said the town does its budget a little differently than the school does. The town budget is prepared when there is still 6 months of the fiscal year left and we have to try to estimate our year end balances. The selectboard has always applied all or a portion of the estimated year end balances toward reducing the budget. A column could be added, though he it would shrink down the font size and he thinks it would make looking at the budget more difficult. David Williams said it would not be proper to amend the motion to deal with this subject matter. A separate motion would be appropriate under Other Business.

The motion was passed by a voice vote.

Article 14. Will the voters approve the sum of \$15,000.00 for the Planning Commission to hire a consultant to assist with a community based process to determine if Form Based Code is appropriate for and desired by Johnson and based on that process, develop a draft code?

The article was moved and seconded as written.

Eric Osgood said the selectboard is supportive of the motion. David Butler of the Planning Commission said the Planning Commission was asked by the selectboard to pursue some kind of future control. The Planning Commission's thought is that form based code would be best for Johnson. But Planning Commission members don't have time to develop code. There are experts who can do this. The Planning Commission applied for a grant but were denied. They went to the selectboard and asked if the selectboard would pay for a consultant and the selectboard agreed to include it as an article. If the voters vote yes, the Planning Commission will continue on the process. What the money will do is bring in an expert consultant who will talk to community members, individually and in groups, tour Johnson, and use feedback to develop code. Yes, form based code is a form of zoning and, yes, it impacts the village more than the town. The way it differs from zoning done in the past is that it doesn't prevent a landowner from doing anything provided it fits with the townspeople's vision of Johnson. If someone wants to buy a building, demolish it, and put in a McDonald's, they are not necessarily prevented, providing the building looks like what we want a building in the village to look like. Form based code is not anti-development. It just controls development so it is what we want it to be. Is it right for Johnson? The Planning Commission doesn't know. The \$15,000 will allow a consultant to come in and determine whether it is. If we put the code before people and it doesn't pass then it isn't right for Johnson.

David Bergh of the Planning Commission said this effort came in response to what was perceived as the wishes of the community. There was a lot of feedback and concern about how little control the community had over someone coming in and making big changes. This seemed like the best fit for the town.

Offie Wortham said he heard rumors there is going to be a Subway in Johnson. Has that been approved? David Butler said Skip Vallee, who owns the store known as Stearn's, plans on putting in a big Maplefields. His initial plan called for a Subway as part of it. This is what started this whole process. As it stands today, we have very little control over what he does there, provided he meets state regs under Act 250. We do have party status under Act 250, but we don't have any rules and regs as to what he can do with the building. So, yes, he believes a Subway is coming, but not because of anything the town has done.

Darrell Wescom said he owns property in Johnson. He thinks any zoning should just be for commercial properties. Others shouldn't have the right to control what he does on his land. He pays for it. He is not destroying the look some might want for the village, but if zoning is just for the village, it affects him because his property on Gould Hill is technically in the village, even if he can't see it from where he lives. If we are trying to control the look of businesses we should say zoning is just for commercial properties, not those who own land outside the village.

Jon Gregg said the item we are voting on would help address this issue. We are not voting yes or no on zoning. It might come out of the study that they agree with Darrell. Darrell said he can't attend a lot of meetings. Wouldn't it be easier to say we are going after commercial properties, not people on Railroad St. who want to change their windows? Jon said anything resulting from the study will be voted on. Darrell said not everyone can attend every meeting. If we are looking to control how commercial buildings look, we should leave residential properties alone. We should say we are looking at form based code for commercial properties alone. Jon said this is just a study. Darrell asked, is there no possible way of just having commercial zoning? David Butler said yes, it is possible.

Barbara Murphy said the local people get to define the scope of work. Input would not end with this vote. We would be delegating to the people of Johnson the job of shaping the scope of the work.

David Grozinsky of the Planning Commission said the points Darrell Wescom brings up are the kind of input the Planning Commission will be seeking. That is what form based code is about – getting input on what people in the town and village want and shaping the code. Form based code is about saying Burger King can come in but has to keep the same shape for its building, not about making anyone change anything that already exists. It is about the people of this town deciding together what we want. The Planning Commission knows everyone is busy. They would like to see as much input as possible, including emails and letters. That will determine everything. The consultant will be there to help us figure everything out with as much input as possible. This is about hopefully keeping what we have and shaping the future of Johnson as a community.

Bobby Hoag said he is against zoning 100%. Back when we had zoning his land was basically worthless because he couldn't build on it. We are already regulated under Act 250. That takes care of it. The bottom line is this is a slippery slope. He has been all over the country. In a lot of towns in Florida, you can't even park a pickup truck in your own driveway. The Studio Center was able to put in an elevator this year without a lot of trouble. With zoning, little guys won't be able to do what they want without fighting and getting lawyers.

A voter said he has a real concern about an expert preparing a plan. In Boulder, Colorado, they passed zoning. It was done by experts. Then they found they had no poor people left, so they imported them. There are problems with things done by experts. If you don't want Ebenezer's turned into a Burger King, then buy it.

Another voter asked about the timeline of the project. David Butler said if this article is approved today the Planning Commission has to go through the bid process to choose a consultant. The goal is to be able to bring something back to the voters as soon as possible. Realistically, it will probably be a year before the Planning Commission can bring an outline to the voters.

Eric Nuse said he is in favor of allocating the money. From what he is hearing there is a big concern about government bulldozing individuals. His concern is about big money bulldozing all of us. If we are going to try to protect individual fiefdoms we will find we have lost the whole shebang. Form based code makes sense to him more than other zoning. It is a lot more map based. We don't have to go with the village limit. We can have any limit we want. The vision

could be different for different circles so there is way less regulation for those further out. The more people affected by what you do, the more regulation there could be. It would be predictable so people could read about how the regulations would affect the area where they live. If we give good input to the expert and make it fit Johnson well, he thinks it will be a huge advantage to all of us.

Darrell Wescom said he hopes the Planning Commission does get in touch with people. He doesn't see a problem with Johnson. He has been here his whole life. He doesn't see anyone bringing in big business. The proposed Subway would be in a store that is already there. Ten years down the road, do you want someone telling you what to do with your land?

A voter asked, if you are sitting in your castle, would you like to have an undesirable business built right on the border of your land?

Casey Romero moved to call the question and the motion was seconded and passed.

The motion to approve \$15,000 to hire a consultant was passed by division of the meeting.

Article 15. Will the voters of the Town vote to exempt the Masonic Temple from the Municipal Town Taxes for a period of five years per 32 V.S.A. § 3840?

Bobby Hoag moved and David Butler seconded to exempt the Masonic Temple from the Municipal Town Taxes for a period of five years per 32 V.S.A. § 3840.

Eric Nuse asked if the Masonic Temple is still owned and operated by Masons. Eric Osgood said yes. A voter said he is a member of the lodge in question. The building was originally built as a church on Clay Hill around 1830. In the 1850's it was disassembled and rebuilt where it is now, on the corner of Route 15 and Pearl St. It was a Baptist church until the Freemasons purchased it in 1919. It is one of the few buildings in Johnson that still has the same use as 100 years ago. Freemasons own most of the building. The clock tower was turned over to the town in the 1930's. The building is not owned by the Grand Lodge of Vermont, but by Johnson Freemasons. They have put close to \$40K worth of work into the building in recent years. There is still some work left to be done and they are pursuing some avenues for funds. Local functions have never been denied use of the building. It has been used for hunter safety courses and by Boy Scouts and the Historical Society. In the late 80's the village trustees used to meet there. An Eastern Star chapter (the women's section of Freemasonry) also meets there. The Masons are known for charity. They ask that the taxes be abated for another 5 years.

Harlan Adams asked if Duncan Hastings could give the voters a tutorial on property taxes and what happens when you abate taxes. Duncan said this motion would abate the municipal and town portion of the tax. The total tax on last year's grand list was \$2,549.14. Harlan said he would like Duncan to explain that a town voter can vote on town taxes, but our taxes also include school taxes and we don't have the power to abate school taxes. The school tax part is what he would like to know about. Duncan said that is right. We have the right to abate the municipal portion. We can abate the school portion as well, but we still have the responsibility to give that amount to the state. By voting to approve this article we are abating the local portion and

assuming responsibility for giving the state portion to the state. The figure given includes both of those portions.

The motion was passed by a voice vote.

Article 16. To transact such other business as may be properly brought before this Town Meeting

Eric Osgood brought up Katie Orost's suggestion on the presentation of the budget in the town report. He said he would like to get a feel for how many would like to see an extra column showing the percent change for each line item. David Williams asked those who would like to see the extra column to raise their hands. It appeared that a majority did so.

Doug Molde said that through generous local donations and the help of the River Conservancy, the Journey's End property has been purchased. It includes not just the swimming hole but the adjoining section of trout stream. There will be a celebration next fall. Grant work is currently being done to develop paths.

Duncan Hastings said he would like to recognize David Williams for his efforts as moderator.

Mark Woodward and Rich Westman were invited to address the voters. Mark Woodward said he gets a lot of calls and emails. He gets the impression that many people think what is happening in Montpelier is like what is happening in Washington, but it is not. He would guess that 90% of votes in the House are unanimous voice votes. Legislators generally work in committees to do what is right, guided by facts. All in all, things are pretty good in Vermont compared to the rest of the country. Our unemployment is the lowest east of the Mississippi and we have some of the best health care and education in the country. We have about a 70% hole in our budget, but he has no doubt we will fix this in a way that doesn't harm our most vulnerable voters and is relatively fair. We benefit from being relatively diversified as a state and not dependent on one industry such as tourism.

M. Woodward serves on the health care committee and knows a lot of people have experienced problems with rollout of the federal plan. There have been technology problems with our system. As we move closer to a single payer system he is concerned that we do that well. If we can't, then we will pull the plug on it and go back to what we have. He is cautiously optimistic. We have some of the best and brightest working on this project.

Rich Westman thanked the voters for the opportunity to serve in the Senate. He appreciates the support he has been given. If he doesn't respond right away to an email it is because he gets about 40 a day. The change in the nature of the way the constituency contacts legislators has exploded in the last few years. Interest groups excite people and encourage contact. It is very different from 5 years ago. This year we should look forward to completion of work on a section of the Lamoille Valley Rail Trail from Morrisville to Cambridge. That should be a huge benefit to all the communities around. He thinks it will bring a lot of people here and a lot of locals will get to use it. Probably the biggest concern in the transportation budget this year is what the federal government is doing. All the maintenance comes from our own state dollars, but construction projects like repaving or the Morrisville bypass are usually paid for either 90% by

the federal government (for interstate highways) or 80% by the federal government (for state highways.) The federal trust will be bankrupt by fall. If federal legislators do nothing we will get 40% less from the federal government. We now get around \$130 million a year. This could have a huge effect on anything we do in transportation. It is out of the control of state legislators but they are watching it closely. Another big issue is health care for retirement. There is a \$72 million hole. The Senate will not be taking that up until late March.

Bobby Hoag asked how much the tax on fuel will go up this year. Rich Westman said the state does not plan to raise fuel taxes this year. He doesn't know what the federal government will do. Bobby Hoag asked, weren't they raised last year? R. Westman said it was longer ago than that. They had to be raised because people are driving more efficient cars but we have seen a doubling in the number of miles travelled by Vermonters. People were doing more damage to the road and we were getting less revenue. To continue to keep up and be able to do transportation projects, the legislature reacted.

Walter Pomroy said, speaking a village trustee, with the belief that that selectboard would probably agree with him, he hopes legislators use common sense when looking at stormwater runoff, especially phosphorus. Where the legislature is trying to regulate – roads, our treatment plant – is not where the main problem is. Those areas don't add to the problem in any significant way but the proposed regulations will have a significant dollar impact on our community. When you look at the percentage of impact it appears the legislature is misguided about where it is putting its emphasis. He hopes legislators will take that into account. Mark Woodward said he will. Rich Westman said it is good to contact legislators with specifics. We are facing a mandate from the federal government to do something about TMDL's and Lake Champlain. They will take over control if we don't act in a strong way. He is not in a position to be able to affect policies without direct information. Separate from that are issues such as the shorelands bill just working its way through the legislature. He has a lot of concerns about that. He was one of 5 who voted against it. The Agency of Natural Resources already has work it can't accomplish.

Bobby Hoag asked about deductibles in health care plans, for instance a deductible for using an ambulance. Mark Woodward said multiple different plans were created that individuals or small businesses can buy. Deductibles or copays were created so those insured would have skin in the game. People will have to pay \$50 or \$100, depending on the plan, for being picked up by an ambulance. Legislators tried to get away from plans where everything was covered. Without skin in the game people are incentivized to go to the emergency room or use excess health care. The deadline to sign up for a plan is March 15. He encourages people to go to Health Connect website. He will personally help people who are having trouble accessing Health Connect.

It was moved and seconded to adjourn and the motion was passed by a voice vote.

The meeting adjourned at 12:14 p.m.

Minutes submitted by Donna Griffiths