

JOHNSON VILLAGE TRUSTEE BOARD MEETING MINUTES
JOHNSON MUNICIPAL BUILDING
MONDAY, AUGUST 14, 2017

Present:

Trustees: Gordon Smith, Walter Pomroy, Scott Meyer, David Goddette, Bob Sweetser

Others: Meredith Birkett, Rosemary Audibert, Troy Dolan, Tom Elwood, Mark Baker, Angela Barton, Will King

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Gordy called the meeting to order at 6:07.

2. Changes, Additions to Proposed Agenda

Meredith said she wants to add a corrective permit for the existing allocation for Mark Baker and Angela Barton's property. There wasn't an existing permit in the files so she thought we could do one while they are here this evening.

3. Review and Approve Minutes of Trustee Meetings

Walter moved to approve the minutes of July 10, 2017 and July 18, 2017, Scott seconded and the motion was passed.

4. Treasurer's Report / Review & Approve Bills and Warrants / Action Items

The board reviewed the budget status report.

Scott asked if we will be seeing a big increase in our Blue Cross/Blue Shield bills, since they just got a big increase. Rosemary said we will see an increase starting in January. Their increase was 9%. Scott asked if our increase will be 9%. Rosemary said that will probably be the average increase for all plans. The plans that get used more get higher rate increases.

Walter noted that electric revenues slipped a little behind budget. Rosemary said the new solar project is behind by a month. Walter said we won't have revenue from Maplefields for a while. Meredith said we didn't budget for that.

There was an \$8K adjustment to sewer revenue – a credit to JSC for a water leak. Tom said they just had another small leak. A hydrant was cracked and running overnight.

Walter said it seems water and sewer wages are more slanted toward sewer. Tom said he thinks they will go the other way once hydrant flushing and some other things are out of the way. He thinks we could tweak it a little too.

Gordy asked about the Vactor. Meredith said there will be a meeting on Thursday among all towns that are part of the collaborative. All have been told that Johnson doesn't want to participate anymore. Waterbury doesn't want to participate either and Richmond is leaning the same direction.

Rosemary said we got the estimate of how much we will receive for PILOT. It is \$50,394 and we budgeted \$45K.

Rosemary said we found some errors in the Grand List. Some properties were marked village that weren't really village.

The state has reimbursed us for the last pay request for the School Street project. (*Mark Baker and Angela Barton arrived at 6:21.*) Rosemary said she thinks there has been an overpayment by the state. We either owe them or the town.

Walter asked if the ten cents on the Grand List was calculated based on the Grand List with the errors. Is that number wrong? Rosemary said the past few years we have been paying the budgeted amount. She doesn't think that will change.

Village taxes are due tomorrow. There is still about \$23K uncollected. Usually we have about \$10K that goes delinquent.

Walter moved to release the sewer lien for Greg Marsh's property at 1066 Vermont Route 100C, Dave seconded and the motion was passed.

Walter moved to release the water and sewer lien for Brad Moore's property at 634 Clay Hill Road, Dave seconded and the motion was passed.

Rosemary said we received a bill from Gene Besaw for the 2016 financial report. We have not received the 2015 report or the 2016 report. The board agreed not to pay the bill for the 2016 financial report before receiving the report. The board asked Meredith to send them a letter. David asked how long they have done our financials. Rosemary said quite a while. Walter said we might want to get bids for 2017. Rosemary said a new firm would probably charge double what Besaw has been charging.

5. ***Discussion of VT 100C B&B Collaboration Idea***

Mark Baker and Angela Barton talked about their plans to renovate 83 Route 100C and turn it into a bed and breakfast. Some repairs were done to the house after it was damaged by fire, but it still needs a lot of work. They would like it to be a place the town can use as a resource. They can show the work of local artists on the walls. They would offer a place to meet for local schools and clubs. They are in the process of buying the house that was burnt next door. They plan to demolish that house. Mark Baker said the renovated house will add to the Grand List. Removing the burnt house removes liability for the town and village. There is an opportunity for the village to share benefits if some of the cost is split. They could put a gazebo in the back corner of the lot where the burnt house is currently located and make a right of way for community access. Mark said anything the village could do to help, such as a tax deferment or alteration or a low interest loan, would be welcome. He is willing to talk about what he and Angela can do to find benefit for the village. (*Will King arrived at 6:39.*)

David asked if Mark knows about the revolving loan fund. Mark said he has heard about it and wants information on it.

David asked how much about he is looking for. Mark said the more the better. He already has two loans on the home and is looking to pay for the second property as well. The village might see it as more of a tangible benefit to put its money behind something like tearing down the burned house,

as opposed to giving a loan for painting. The village could split purchase or restoration costs, or share costs for demolishing the house.

Angela asked about interest rates. Meredith said she had emailed Mark and Angela links to information about the loans the village offers. She believes the interest rate is prime minus 2%. She thinks the maximum term has been 10 years.

Walter said it sounds like what Mark and Angela are doing includes a mix of things that are high priority for the village to loan for, such as code upgrades, energy efficiency improvements, and business assets and inventory. He is not really interested in ownership of anything. He is interested in helping a small business through the community loan fund. He suggests getting the loan paperwork and coming back to the board with a plan. He is not interested in the village buying or knocking down the other building.

Dave asked if Mark and Angela have a business plan. Mark said not a written one, but they intend to make a business plan and get an LLC.

Gordy said this community needs overnight lodging. Dave asked how many rooms the bed and breakfast would have. Mark said it is a 3-bedroom house so there would be 2 rooms for guests. If it is successful he hasn't ruled out buying another house.

Angela asked if the village partners with the state on energy efficiency. Walter said Mark and Angela should check with Efficiency Vermont.

Dave said the first step is for Mark and Angela to fill out an application for CIG funds. He wishes them much luck. Those two properties have been an eyesore.

Mark said the state has given permission for them to hire a crew to demolish the burned house. All asbestos has been removed from the house.

Walter asked Meredith to email Mark and Angela about the next Johnson Works meeting.

Angela asked if they need to establish a name for their business before applying for loans. Walter said it is best to have determined what name they want on legal documents. In the past if a loan was given for an LLC the owners were asked to sign personally too, to provide better security for the village.

The board thanked Mark and Angela for coming in and for investing in Johnson.

Meredith asked the board to approve a corrective water and wastewater permit documenting the current single family home allocation at 83 Route 100C. **Dave moved to issue a corrective water and wastewater permit for 83 Vermont Route 100C with allocations of 210 gallons per day for wastewater and 405 gallons per day for water. The motion was seconded and passed.**
(Mark and Angela left at 6:53.)

6. ***Cole Solar Letter of Interest***

Meredith said a draft letter of intent for the Cole solar project has been reviewed by our attorney and by TJ Poor at VPPSA. We are giving some exclusivity to SolarSense for this site for 12

months for development of a solar project. They bear the cost for a system impact study. It is not a village project. Walter asked, the letter of intent is not committing us to anything? Meredith said no. After the system impact study they will come up with final terms that work for the village. Meredith said the study is about what would be needed for interconnection to happen. It should tell us the cost for interconnection and that will tell us if the project is affordable.

Walter moved to authorize Meredith to sign the letter of intent for the Cole solar project, Scott seconded and the motion was passed. *(David Butler arrived at 6:58.)*

7. *Form Based Code*

Meredith said she thought it would be helpful to run through a PowerPoint presentation summarizing the proposed form based code.

Gordy said he thinks it would be nice if the Design Review Board included at least 2 or 3 members who are village residents, because they will be affected directly. David Butler said if form based code passes he thinks that can be worked out between the town and the village.

Meredith said the purpose of form based code is to better control future development in order to maintain and improve the general appearance, growth and economic health of the town. The codes are focused on the village. There are no codes that apply outside the village. David Butler said this is considered Phase 1. The responses to the initial RFP for a consultant were higher than what was included in the budget approved at town meeting, so the scope was narrowed down. Meredith said there are 3 districts: Village Storefront, Village General, and Village Neighborhood. All have different standards. She showed a map of the districts. If your property is in one of the districts, you need to get a permit to develop or change a building. The permit application will be submitted to an administrative officer.

David Butler said all existing buildings are grandfathered as they are now. If a part of a building is to be changed the whole building will not need to conform, but the section being changed should be brought as close to the code as possible.

Meredith said if a permit is denied the owner may appeal the decision to the Design Review Board, a 5 member board made up of town residents appointed by the selectboard. Permits don't consider the use of the building, only appearance. Structures existing prior to the effective date of the code do not have to conform as long as the owner does not make changes that make the non-conformity worse. David said if you want to change your siding, a permit is not needed. If you want to change all your windows you will need a permit because that is regulated by the code.

Gordy asked if the question about square footage of glass got answered. David said the requirement was reduced to 70% glazing in the storefront district and 30% or 35% in the neighborhood district. Gordy asked, an owner could apply for a variance, right? David said that is right.

Meredith said there are quite a few exemptions. She listed them. They include normal repairs, decks, porches, minor grading and excavation, and power generation and transmission facilities.

Gordy asked the cost for a permit application. David said it is not set yet. It is not up to the Planning Commission. He assumes it will be set in a joint meeting of the trustees and selectboard. It should be high enough to be serious but not high enough to be a barrier.

Meredith said a question had to do with using municipal parking spaces as a way for property owners to meet the parking requirements. Walter said this is one thing that got changed the other night.

David Butler discussed changes that were made after the public hearing. A lot of time was spent talking about trees and landscaping. There was a lot of discussion about whether we can force people to landscape in the state right of way. They own it but in some cases they might need to get permits from the state. He doesn't think that was completely settled. He thinks it was decided to compromise and say that any area by the street that is not a driveway or entranceway needs to be landscaped. Owner can't just put down concrete. A sentence was added to the landscaping definition that says trees, shrubs, vegetation and grass are strongly encouraged.

On building envelope standards the Planning Commission cleared up some confusion about what the build-to line is. For the front of the building it is the municipal or state right of way and at the side it is the lot lines.

There is a section of code that had been voted on but was missing. It needs to be added back in.

There was a long discussion about Railroad Street and the boundaries of the Village Storefront District. An adjustment was made to the boundaries. The Village Storefront District will wrap around the corner a short way onto Railroad Street.

For parking, they did not remove the language about property owners being able to have an agreement for use of village parking spaces. It is up to the village whether they want to do that. The Planning Commission shouldn't dictate it. One big problem in the town is parking spaces being occupied by residents or employees. Residents may occupy a space for 12 hours or more, or for days. Employees occupy spaces during the busiest hours. To require minimum parking standards for small businesses is going to be very difficult, possibly a game changer. They settled on one parking space for 700 sq. ft. of occupied or finished space. In the Village Storefront District, the ground floor would be exempt. There isn't a lot of space for property owners to create space behind buildings. The Planning Commission felt some of the standards Walter's group came up with weren't enforceable. The standards they came up with for parking will be the same for all 3 districts. Hopefully that will get some cars out of street parking.

Scott said reliance on municipal lots makes him a little nervous. It is an issue if there are cars parked there overnight. David said the Planning Commission will not ask the village to allow municipal lots to be used to meet parking requirements. It is left open for the village to make a decision. Walter said a property owner would have to ask the trustees' permission to count municipal spots as parking spaces. He would never vote to let a municipal lot be used for residential parking.

David said parking will become a serious issue if someone decides to put in a high end restaurant. There won't be enough spaces for customers and employees.

Meredith said she thinks the Planning Commission's solution is good for parking. She would have a concern if some businesses were able to get municipal spots before others. Scott said he would

have a problem ethically with giving away spaces owned by the community. Walter said if the first floor is exempt most owners won't come to us anyway.

Scott said during formation of form based code, one thing that residents had an issue with, especially in the village, was the amount of cars on sidewalks and lawns. People wanted that to go away. Owners should be required to figure out parking ahead of time. David Butler said parking can't be in front of apartment buildings. It has to be on the side or in back. Walter said a lot of buildings will be grandfathered, however. David said when the Planning Commission took out all uses from form based code, addressing parking became more difficult. Parking requirements can't be different depending on use.

David B. said when Paul Dreher and the original committee set things up they did a 100 ft. wide strip down the roads and didn't care about anything behind it. The Planning Commission felt it wasn't really fair to control the first 100 feet of the property and not the rest of the property. They decided that the whole lot will be in the zone. Discussion came up about what to do with secondary and tertiary buildings. They decided on wording stating that any secondary building behind a primary building is exempt from setbacks and building standards provided it can't be seen from the center line of the highway. If a secondary building is visible it has to conform to building envelope standards.

David said another thing that has changed on the map is that 3 village lots on the other side of Collins Hill had been missed and were added in.

Meredith said there was discussion of the process at the public hearing. The way she understood it was that the trustees wouldn't take formal action. David B. said there was confusion between him and Brian Story about the role of the Planning Commission's public hearing. The Planning Commission was told they weren't allowed to make changes to the code. But then he and Brian looked at the statute and learned that it says changes can't be made between warning the public hearing and holding the public hearing. After the public hearing the Planning Commission can change the code. One Planning Commission member was concerned that the Planning Commission had said in meeting minutes that they would not make changes and then they did make changes. He felt that having said the Planning Commission wouldn't make changes might have prevented some people from coming to the hearing. He convinced the Planning Commission to have a second public hearing on September 6. The Planning Commission will then look at any suggested changes that are brought up at that hearing. Then the code will go to the municipality, which he thinks is the selectboard because the town gave money for development of the code. According to statute, even if the townspeople vote down form based code the selectboard has the option to enact it. And if the selectboard decides not to enact it he believes the village has the right to enact it.

Gordy said in the past the board has felt the decision should be made by public vote and it should not be the decision of the board.

Dave Goddette asked, said if the town says no to form based code, it would come to the trustees? David Butler said if the townspeople vote it down, the selectboard has to decide whether to enact it or not. He doesn't think they will go against the will of the voters. If the selectboard says no, because all the standards apply inside the village, he believes the trustees can have a vote of the village taxpayers or simply enact it.

The trustees agreed there is no need for the trustee board to vote on the code at this point.

Walter said he thinks if the trustees endorsed the code it would help it pass. At some point in the future he would like to ask the trustees to possibly consider endorsing it as encouragement to the voters to pass it. David Butler said one big thing the trustees can do to help it pass will be reading the code and understanding it so they can talk about it to people.

Walter said he thinks if form based code is put into place the village may want to consider a sign ordinance. He doesn't see that as part of this process but it will be something to consider if this passes. David B. said to some extent signs are already regulated if they are in the state right of way, but the state won't say anything about an illegal sign unless it is brought up to them.

Walter asked if the Planning Commission has seen the draft regional enhanced energy plan. Is it on their agenda? David B. said it is on their schedule when they get done with form based code. Walter asked if the Planning Commission is doing one for the town. David said he believes they will redo the energy chapter of the town/village plan. River corridors is another subject that is looming as well.

8. **WWTF Chief Operator Report and Action Items**

Tom said the wastewater plant had a little foaming since the spill. That is all cleared up and sampling is good. The collection system had no callouts. Wash lines were installed for the siphon, but the caps have been seized on. They have finally been cut off and Arjay has ordered fittings. Hopefully in the future we will be able to wash the siphon barrels using the pumper truck every other month. He is still working on finding the source of grease.

There have been issues with curb stop rods. Tom showed the board a broken rod that came from a curb stop at the Church Studio that is being renovated. We were unable to shut off the water so they dug it up for us and we gave them a new rod. Rods that were put in during the 2006-2007 upgrade were defective. The issue was brought to the board at the time. The contractor said they would give us new rods, but not cover the excavation to replace them. They are all brittle. The casting and welds are defective. We have several that are broken and need to be excavated. One is at the church across from Sterling Market under the sidewalk.

Dave asked, those are rods used to shut off water? Tom said yes. Dave asked, when we go to shut off the water they snap? Tom said yes. You don't even have to put pressure on them.

Troy said a lot are located within the sidewalk where they are affected by salt. Tom said they are stainless steel and should not be bothered by salt, but he showed one that seems to have been damaged by salt. Tom said he is not sure why the village didn't make the contractor dig up all the defective rods at the time. The failing rods are not everywhere. He thinks the ones on 100C and Lendway Lane are good. The problem is along Main Street under the sidewalk. The Whittemores will have 2 curb stops in the dig zone for their project. We added as a condition that they need to replace the rods. We will supply the rods. We can either have them all replaced at once or continue to replace them piecemeal as needed. He estimates there are about 50 of them. He would like to get a real count, but that will take manpower. We have a camera we might be able to use to check them, but mostly we won't know other than by turning the curb stop. If we turn it and can't get it back on we will have to excavate. Do we excavate to find out we need to excavate? He doesn't

want to turn curb stops and then break them. He suggests we don't turn anyone off for non-payment where we suspect we have a faulty curb stop. He doesn't want to take the chance. It is up to the board how to deal with the problem. We have a little money in distribution maintenance we can use to dig up a few of them.

Walter asked, especially for the ones in the sidewalks, is it possible to put in a new stop rather than replacing the rod? Tom said that is his suggested fix – to abandon the one in the sidewalk and put a new one in. Assuming we can turn the water off to begin with. We would have to turn the water off to put another curb stop in. Some are right on the edge of the sidewalk.

Dave asked, as long as we don't touch them they are okay? Tom said that is correct.

Tom said he believes the ones at the end of Main Street near the old funeral home will be good because they were put in after the water project. He believes only the ones put in during the 2007 project will be the problem ones.

Scott asked if we can get insurance money for these. Meredith said she thinks that will be hard since it has been 10 years. She thinks it would involve going after their insurance, not ours.

Walter asked if there is any potential emergency when we would have to shut them off. Tom said a broken water service or a fire could require us to shut them off. Sometimes we can shut off water at the house. Usually we have time to excavate with a broken water service. Walter said if there is a broken line we need to excavate anyway. He is concerned about the possibility of us needing to shut water off in an emergency and not being able to.

Gordy asked if we can freeze them if we can't shut the curb stop off. Tom said normally we can. If the line is plastic it doesn't freeze well. We use a CO2 cuff.

Dave asked if it is the concrete that is the expensive part of replacing the rods. Others said time is also a major expense. Tom said he is thinking we would have someone with a mini come in and do a few he has lined up.

Scott asked the average cost to replace a rod with and without sidewalk in the way. Tom said he doesn't know. The last one that was excavated, it was \$135/hour for the excavator and they were done in 2 hours. It was not in the sidewalk and they already had the hole.

Gordy asked if we should put rod replacement in the plan for next year. Tom said he would like to get a grasp on how many we need to excavate and then get board input on what to do. Walter said we should definitely prioritize ones where it would be a big problem if we can't shut them off. Tom said there are some that he would suggest fixing this fall, hiring someone to work on it, and then he would like to quantify how many others there are and bring to the board a couple of possible plans for doing them. Dave said he wonders if there is any grant money available to deal with this. Troy said we are probably not the only municipality that has had this problem. We could look into how others are dealing with it. Meredith said she can look into grant money. (*Bob arrived at 7:58.*) Walter said maybe there has been a class action settlement against whoever made these. Meredith said she hopes in September we will have more information. Walter said he would want to know which ones would be most problematic if we were unable to shut off the water.

Tom said we had no water plant callouts. We did have a tower communication fail during a storm. Steve was called out for a leak at JSC in a self draining hydrant. There was also a callout for a leak at Lamoille View Cemetery. Water services were removed from Maplefields. They buried that without cutting and capping but they say they will revisit it and cut and cap.

Cabin Cove had a leak in the same spot as the previous leak. It has been fixed. Water loss is at 27% but should go down for next month since several leaks have been fixed.

Lead and copper testing was completed. All results were below the action level. Walter asked if there was any lead at all. Tom said a minute amount. There will be a minute amount in most water. Two of the fire hydrants on the Nadeau line have leaded nozzles but no one is drinking out of them.

Troy said he would like to purchase tools to splice primary underground. Some primary underground will be needed with the new solar arrays. Paul has been letting us use his tools but we should have our own. New tools would cost about \$3800. Paul has offered to sell us his, which are in excellent condition, for \$1000. Troy would like approval to purchase Paul's tools. Dave asked if there is money in the budget. Troy said there is money in the maintenance budget. **Bob moved to authorize purchase of primary underground splicing tools for \$1000. The motion was seconded.** Scott asked if the tools have to be coated. Troy said no, they aren't dielectric tools. **The motion was passed.**

We have made the interconnection to the Gould Hill solar array. We initially experienced some problem with fusing. Through research and main line re-coordination these issues have been corrected.

We have started the process of making the interconnection to Alan Lehouiller's solar array. We are probably about 80% done with the underground portion. It looks like it will be ready for interconnection about September 1.

Gordy asked if Troy can provide a rough number of how much we are saving by doing this work in house rather than contracting out to another utility. He would like to see that.

We installed a new service and pole for the new storage building at the elementary school. We built a two pole line extension on Foote Brook Road and installed a 200 amp service. We retired the service at Maplefields and installed temporary services for the construction.

Most of the crosswalks have been painted.

We sealed entry points and put up signs at the old powerhouse building.

Meredith and Troy met with the Maplefields contractors to hopefully eliminate potential issues. Troy has worked with their electrician on the plan for the new electric service.

Troy met with 4 customers in the past month for estimates for new electrical services. The requests for new services and electrical upgrades since spring are at the highest level since he has been here.

We have set 16 new poles this year. The new digger truck has been very useful.

Walter asked if Troy's crew is behind. Troy said he wouldn't say they are behind, but they are busy. Walter asked if we need to consider hiring anyone. Troy said not yet.

Meredith said Gordy wanted to talk about the village tractor and whether we want to keep it. Troy said he feels we need to keep it. He doesn't see a need to replace it now. We use it for brush hogging. We bought a winch for it and we use it. The town uses it also. The agreement Troy has with the town is that if anything gets broken they repair it. Gordy said it is being used more than he thought. The board agreed it should be kept for now.

9. Village Manager Report and Action Items

Peggy Brown requested an excess water usage billing adjustment. She sent a letter describing the leaks that had occurred and how they had been repaired. She didn't provide evidence that the water didn't go into the sewer. An adjustment based on the last 3 bills would only adjust her bill by about \$65. If the last 3 bills do not provide an accurate representation of usage the board can consider a different average. There is a big difference between the 12 month average and the 3 month average. The adjustment based on the 12 month average would be \$122.10.

Walter asked, for such a small adjustment, does she even want to take the adjustment, since she can only get an adjustment once a year and the property is student housing? Meredith said we can talk to her about that.

Walter moved to adjust the water bill for 146 Railroad Street by \$122.10 and to give the owner 3 months to pay the remaining balance without interest, Dave seconded and the motion was passed.

Richard and Nicole Whittemore have asked their attorney to draft a declaration to address the ongoing maintenance of a shared sewer line. Meredith is waiting for it. She asked the board to approve an amendment to their wastewater permit to allow for a shared sewer service line contingent on the village attorney indicating the declaration addresses the village's concerns and on issuance of an amended state permit.

Dave moved to approve an amendment to wastewater permit 001-17 for Murray Rentals to allow for a shared sewer service line, contingent on the village attorney indicating the declaration about ongoing maintenance of a shared sewer line addresses the village's concerns and on issuance of an amended state permit, Walter seconded and the motion was passed.

The town is interested in making water available at Legion Field. They have done some work to get ready for that but they never went through a formal permit process. She and Tom talked to Brian about it. Brian said the water would be used for drinking and providing water to people at Tuesday Night Live. Tom said Brian talked about watering the vines by the bandstand.

Tom said they are talking about us giving them water service without a wastewater permit. His issue is that he can't think of a legitimate use of that water that would not create gray water, especially with the oven being put in. He and Meredith asked if the selectboard has a long term goal of bathrooms. Brian said that may be a few years out. The water source would be locked on

both ends. Tom is leery of giving them water without giving them wastewater. There is a sewer line available.

Walter said if there were a drain it would be available in the open. Anyone could pour motor oil in the drain. He is not in favor of that.

Meredith said there was some concern that with the change in the school board getting permission in the future could be more difficult. The school board had to give permission for water.

Scott asked what the state says about providing water service without gray water. Tom said he doesn't know. Meredith said Brian was going to see if they need a state permit if they are just getting water and not sewer.

Gordy said if there is no backflow prevention that is a concern. We have to protect the integrity of the water system. Will it be winterized? Will we create headaches related to winterizing and metering? Tom said we would put in a full meter horn with backflow prevention. Their side of it drains back. We would just take our meter out in fall. It would be up to them to winterize it, the same as the trailhead water at Old Mill Park. Troy said that freezes every year.

Gordy said town will ask us to drain water out. Tom said in past the town has left it up to us to generate a work order to pull their meter out. He feels it should be up to them to call Susan and request it. Troy said there needs to be organization. Someone needs to keep track of this. Tom said it is up to them to have a plumber blow out the water service.

Tom said he and Meredith did not get a good answer about exactly how the water would be used. Walter said there are vendors with grease at Tuesday Night Live. Tom said he doesn't trust them not to dump their gray water.

Walter said he wants to be helpful to the town but we have too many questions we need answered about gray water, etc. Let's get them answered and if they don't get water service until spring that is okay. Dave agreed.

Meredith said the answer she and Tom got about use was drinking, watering vines and being able to have water service for future use.

Scott asked, why not take advantage of the sewer line that is already there and add sewer service at the same time? Meredith said Brian wasn't opposed to that.

Dave said we are in support of the activities at Legion Field but our questions about how water will be used and disposed of need to be answered before we can allow water service. Walter said there is the question of whether we can give a permit for water without wastewater being handled. Scott asked Tom to research state standards. Gordy said Tom should find out about the yard hydrant they are putting in. He doesn't believe we would allow a homeowner to put one in without backflow prevention. Tom said we have backflow prevention before the yard hydrant. He doesn't think backflow is an issue. We aren't in much control of what a homeowner does after the meter as long as we put backflow prevention in.

Tom said he will do some research. *(Tom left at 8:43.)*

Meredith said she is happy to keep being the village LCPC board representative. It is useful for her. She doesn't feel it is diluting her village focus. **Dave moved to reappoint Meredith as village LCPC board representative, Bob seconded and the motion was passed.** *(Bob left at 8:45.)*

Meredith gave a presentation summarizing LCPC's draft Regional Energy Plan. Comments are due to LCPC by October 30. We don't have to decide tonight what our comments are, if we are going to have any.

The plan satisfies the opportunity Act 174 provided for communities to have greater say in siting of energy projects. Substantial deference is given if a community has a plan. The plan outlines how Lamoille County can contribute to the state's energy goals of having 90% renewable energy by 2050. Currently Lamoille County's energy is 79% non renewable. The plan shows a possible scenario of how we could get to 90% renewable for 2050 through increases in efficiency, increases in renewable energy, decreases in non-renewable energy, and people using electricity more rather than fossil fuels. Meredith said she asked VPPSA if they could have a staff member review this plan from a utility standpoint.

Walter said in his opinion it's very generic, boilerplate, almost worthless.

Dave asked who is involved with this. Meredith said Lea has been involved. There haven't been a lot of direct utility conversations. There will be some real utility impacts.

Walter said if wind towers were proposed for Butternut Mountain, we would have to have a very detailed plan of how we would meet our goals without wind towers on Butternut Mountain.

Meredith reviewed policies in the draft plan, which include encouraging efficient use of energy and conservation, supporting reduction in transportation demand, and encouraging land use patterns and densities likely to result in conservation of energy and reduced dependence on use of autos.

Action items in the report are broken down into different areas. Thermal action items include increased weatherization, supporting net zero construction, supporting district heating/combined heat and power, supporting efficient wood/biomass heating systems and use of heat pumps, supporting geothermal heating/cooling systems, and considering energy/efficiency related training opportunities at GMTCC.

Walter said he feels this document is worthless because it doesn't address things like how to get landowners to weatherize buildings they don't live in.

Transportation action items include encouraging compact development, supporting efforts to increase employment opportunities in Lamoille County, improving pedestrian, bike and park and ride infrastructure, supporting municipal efforts to install electric vehicle charging stations, and encouraging electrical vehicles.

Electricity action items include assisting municipalities with development of municipal energy plans, strengthening partnerships with electric utilities, supporting energy storage efforts, and training to increase awareness of and efforts to conserve electricity.

The plan includes aspirational targets for renewable electrical generation, use of renewables, households heated with wood or electric heat pumps, households weatherized, and passenger electric vehicle use. To meet the annual regional solar generation target, 1035 acres in Lamoille County would need to be devoted to ground mounted solar. It is not possible to meet the annual generation target with rooftop solar.

There is a section on regional wind generation. Duncan told the selectboard he thinks the current language regarding wind is too restrictive but at the town level they are pretty comfortable with this language. LCPC supports further development of wind generation as long as environmental impacts are addressed. They do not support wind generation development on regionally significant ridgelines or within 1 km of residential structures.

There is a section on regional hydro and biomass generation. It discusses potential sites for biomass generation. It recognizes there are difficult regulatory hurdles to construction of hydro facilities in Vermont at this time.

There is a section on renewable generation siting, describing preferred, unsuitable, and unlikely sites, as well as possibly likely/secondary sites (where siting may or may not be allowed.)

Walter asked why source protection areas are listed as possibly likely. We have looked at putting solar panels right by our well. Why do source protection areas need to be protected from solar installations? Meredith said she will look into that.

Meredith said we can discuss at a future meeting what we want to offer, if anything, for our formal comments.

Meredith gave a presentation on VPPSA's proposed Renewable Energy Standard Tier III Pilot program. Beginning in 2019 all VPPSA members will have Tier III requirements. If we all did nothing and had to pay the alternative compliance payment it would cost \$443,512. We need to come up with cheaper ways to meet the requirement. VPPSA is proposing an electric vehicle pilot program with incentives for purchasing electric vehicles and hybrids. We would partner with a dealer to offer incentives. If we elect to participate, we would get credit for a purchase by any of our customers. If we decline to participate, our customers could still get the benefit but we wouldn't benefit.

Gordy asked what other options are if we say no to this. Meredith showed a list of other program options VPPSA has looked into. A couple are on hold. One is too costly. One is waiting on availability. One of the possible options on the list is a diesel customer transition for Johnson. Meredith said there will most likely be money from Volkswagen for EV infrastructure.

Dave suggested talking to JSC about putting EV charging stations there

Meredith said they need to know by October if we are in or out. If all members participate it will cost us about \$3200 to participate.

One requirement is that Tier III opportunities be offered to all ratepayers. We would have to say we were offering something a low income person could take advantage of. Scott said the reality is that low income people won't want to buy an electric vehicle.

Walter asked if we are locked out for 2019 if we don't participate in 2018. Meredith said no. If they continue the program she thinks we could participate in 2019.

Meredith said she doesn't think the Cole project should impact this decision. If we move forward with the Cole project our Tier III obligation will be met, but we still have the obligation to offer some program to people.

The total goal for VPPSA would be 100 cars.

Scott said he is not clear on the proposed partnership with Efficiency Vermont when every ratepayer pays into their budget. Don't we already get a perk from them? Meredith said we send them a check every month. Rosemary said we send them \$12K a month. Scott asked what we get for that. Meredith said we do not get \$12K worth of benefit. Walter said we are just the middleman in sending money to Efficiency Vermont. Meredith said what is already being spent on Efficiency Vermont can't be counted for Tier III credits. Scott asked, isn't it double dipping for Efficiency Vermont to get more money when they are already getting money for efficiency? Meredith said VPPSA is trying hard to make sure that doesn't happen.

Gordy said he thinks the idea of EV charging stations at JSC is good to look into. Meredith said we can do that once we know if Volkswagen settlement money is available. Walter suggested letting them know about the possibility before they do anything on their own. Meredith said she will.

Walter said the penalty for not meeting our Tier III requirements is so small the first couple of years he feels it is better to pay it and save Meredith's time. The Cole solar project could mean we don't have to do anything else. Gordy agreed. Scott said maybe then we will have Volkswagen settlement money.

Meredith pointed out that one good reason to pursue an EV charging project is that it increases electric usage. She needs to call Nadeau to talk about switching from diesel. VPPSA has said multiple times that we could partner with another VPPSA member to offer an incentive and share the Tier III credits.

Meredith said she is hearing that the board is not interested in participating in the EV pilot project. Gordy said he agrees with Walter. Meredith's time is better spent on the Cole project. Meredith said she would not have to do the work with the EV pilot. Walter said he does not have confidence the project will work well. He doesn't want to be a guinea pig. If they do it well we can jump on in 2019.

Meredith shared a memo and draft conflict of interest policy from VLCT. She said the board doesn't need to make a decision tonight about it. The policy is intended to apply to elected and

appointed officials, not employees. The memo lists important elements that should be incorporated in the policy. The policy should call for an official to disclose a potential conflict. The conflict is discussed at a meeting and the individual decides whether to recuse him or herself. The minutes document the process. An individual may not be forced to recuse him or herself. It is up to them. Other board members can admonish them or suggest that they resign, but they can't force them. She not sure this policy will address concerns about joint membership on the selectboard and trustee board.

Walter said we have to adopt a conflict of interest policy by June 30, 2019 and it has to be voted on by the electorate. His feeling is that the town and village should develop a joint policy because it also applies to committees and other groups and we have joint committees like the Main Street committee. He feels we should have a single policy. It should be on the agenda for a joint meeting for both boards to agree on the need to develop a joint policy.

Gordy said we have had issues where the trustee board had to go into executive session for an issue involving the trustees and the selectboard. How could someone be on both boards and do that? Walter said his interpretation is that before going into executive session a person who was on both boards would have to disclose their conflict of interest. The board can discuss it, but can't force the person not to recuse themselves. But everyone will be on notice about the conflict. He feels a policy on conflict of interest is actually more important for the Board of Civil Authority or Development Review Board than for the trustees.

Gordy asked Meredith to make sure the conflict of interest policy is on the agenda for the next joint meeting.

Meredith said the town and village set aside \$5K each for website and branding efforts but our marketing grant application was not selected for funding. We could still put money towards those efforts. We could talk to the town about hiring a consultant or, as Gordy suggested, put the money toward Green Mountain Byways. Walter said we also have the Brownfields study. We have other irons in the fire now. He feels every year we should budget for marketing and if something comes up we can spend the money; otherwise we will roll over to next year. Gordy said depending on how much money we overspent on the municipal project, we might also want to use the money for that.

Meredith said we didn't get the Northern Borders Grant either. She said she thinks the town will want to have a conversation about whether we want to do something collectively with our \$10K. They will probably want to talk about that at the joint meeting. Walter said he is open to all ideas but doesn't want to spend money just for the sake of spending money. He would be interested in hearing about ideas worth funding at the joint meeting. Meredith said she will not suggest putting it on the joint meeting agenda. The board agreed to hold onto the money budgeted for marketing until we have an idea to spend it on.

Meredith was contacted by a company that helps communities maintain data behind social media accounts. They keep backups of old versions whenever something is changed or deleted. Their proposition is that all of that data is part of the public record. She reached out to a state archivist who said it is part of the public record but you can develop your own internal policies about what you keep and don't keep. She needs more information. She asked the company that contacted her

whether the town and village could share an archived social account and they said that would be possible.

Brian has asked that the trustees pick an alternative day for the joint meeting just in case Dave Williams is not available to serve as moderator. The trustees agreed they do not feel the need for a moderator but do not object to having one. However, they want to meet on August 28 and not change the date just for the moderator.

Meredith reviewed the June 2017 Power Bill Summary. Expenses were 1.6% lower than what was budgeted but load was down 4.3%. The actual cost per kWh was 2.9% higher than budgeted. Sales were down. Meredith did not budget for the reduction in usage by Maplefields. She said she should look at their last year's usage to see what the effect will be.

Scott asked if we sent the new yoga place for thanks coming to Johnson and information. Meredith said no. She will.

Walter moved to go into executive session for a personnel matter, inviting Troy and Meredith to remain, Dave seconded, the motion was passed and the board entered executive session at 10:01. Walter moved to exit executive session at 10:06, Dave seconded and the motion was passed.

Walter moved to increase Jeff Parson's rate of pay to \$20.81 as of the pay period ending August 23, 2017 based on successful job performance and skills development consistent with six months in the lineworker apprenticeship program. Dave seconded and the motion was passed.

10. Adjourn

Dave moved and Walter seconded to adjourn at 10:08 and the motion was passed.

Minutes submitted by Donna Griffiths