

JOHNSON SELECTBOARD MEETING MINUTES  
ALL PARTICIPATION BY ZOOM TELECONFERENCING  
MONDAY, JANUARY 4, 2021

**Present:**

Selectboard Members: Mike Dunham, Nat Kinney, Doug Molde, Kyle Nuse, Eric Osgood  
Others: Brian Story, Rosemary Audibert, Beth Foy, Eben Patch, Jasmine Yuris, Scott Meyer, Sophia Berard, Lois Frey, Jackie Stanton, Cal Stanton, Margo Warden, Rick Aupperlee, Greg Tatro, Walter Pomroy, Sheriff Roger Marcoux, Senator Rich Westman, Representative Dan Noyes, Representative Kate Donnally

**Note: All votes taken are unanimous unless otherwise noted.**

Meeting recorded by Green Mountain Access Television. GMATV info: <https://greenmountainaccess.tv/>; PO Box 581, Hyde Park, 05655; info@greenmountainaccess.tv or 802-851-1592

**1. Call to Order**

Eric called the meeting to order at 7:00.

**2. Additions, Changes to Agenda**

Brian said the Planning Commission report can be removed from the agenda as the Planning Commission has nothing to report. He noted that the 7:30 time for Sheriff Marcoux's item is an estimate. We may have to work around his availability.

**3. Review and Approve Minutes of Meetings Past**

Doug said he wondered who suggested at the December 21 meeting that he be the signatory for the pledge contract. Eric said he thinks it was Mike. Nat agreed. **Kyle moved to approve the minutes of December 21, 2020, Doug seconded and the motion was passed in a roll call vote with Nat, Doug and Kyle voting in favor and Mike abstaining as he was having technical problems during the discussion.**

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

Rosemary said the town received a tax abatement request for the Lehouilliers' house by the Powerhouse Bridge. She suggested that the hearing on the request be held at 6:30 p.m. before the next selectboard meeting and Eric agreed.

Rosemary said she has received one petition for the 3-year selectboard position from Beth Foy and one from Eben Patch for the 2-year position. She asked if the board knows of anyone who may be interested in serving as the Lamoille Regional Solid Waste Board director from Johnson. Eric said he doesn't. He asked who is serving currently. Rosemary said it was Phil Wilson but he moved and resigned. Brian said we didn't receive any volunteers to replace him.

**Nat moved to authorize Eric to sign warrants on behalf of the board for this month, Mike seconded and the motion was passed.**

Kyle asked if the fire warden has been replaced. Brian said he will be reposting for that position.

### **5. *Update on Salt Truck***

Brian said last week the rear differential on the salt truck broke down again. This truck has had the same problem on multiple occasions. That is why the capital equipment plan was modified to replace this truck earlier. We are submitting a warranty claim, as Clark's agreed that this was a failure in parts that have a warranty separate from the warranty on the vehicle as a whole because of their previous replacement. In the meantime we are going to be making do. We bought a full bed spreader for the pickup truck. Hugh Albright was concerned about the time it would take to spread salt with the spreader we had previously. We sold the old tow-behind spreader to the village to recover some costs. We will be able to use the new spreader in the future for some small back roads. The new spreader will need about one to one and a half loads to cover the same area the previous spreader could cover with eight loads. It cost a few thousand dollars but it was necessary. We don't have a date yet when the salt truck will be back but we have been told it will be in the shop for an extended period and there are no rental units available at this time.

Doug asked for more detail on the cost of the new spreader. Brian said he believes it cost \$4,300, minus the \$600 we got from selling the old spreader. Doug asked for more specifics about the extended period of downtime. Brian said he has no better estimate at this time. Clark's told us they have a lot on their schedule right now and they are behind.

Kyle asked if we have just one salt truck. Brian said we have just one dedicated one. We don't have spreaders for the other trucks so we don't get uniform application of salt and spreading salt with them is not a good use of their time. So we need a spreader, ideally a computer controlled one, which is what the dedicated truck has.

Brian said we will have to make a decision about whether we want the new salt truck to have brine as an option. Accommodating a brine attachment will take some modifications to the bed and the way the bed is mounted to the frame. It costs about \$1,000 for a brine attachment. Clark's would like to make the modifications now if we want them rather than doing it as a retrofit. Nat asked when we would make that decision. Brian said they would like us to decide as soon as possible.

Nat said he has been pretty outspoken in the past about not wanting to move to brine. Our new highway worker Mark is in favor of brine and Nat had hoped to talk to him and maybe Hugh about it. He feels that all the reasons that make it so effective for clearing roads are also factors that lead to the brine material staying on cars for longer and working to rust town and personal vehicles as well as bridges, culverts and guardrails. He thinks the costs are still really unknown but his sense is that they are pretty great.

Mike agreed with Nat. He agrees that brine sticks to cars and rusts them faster. As long as he is on the board, he will have nothing to do with brine.

Kyle said it would be good to see statistics and get an informational presentation about the two different options. Could we get that before the decision?

Brian said he can try to get that information for the board. Brine is effective at a lower temperature and for longer through the winter but our real goal in using it is that it sticks to the road better than salt under some weather conditions. We would be managing it to get it to stick to the road and not to vehicles.

Kyle said she would be curious to know if brine is environmentally different from salt in terms of going into waterways. Brian said brine is a little better environmentally. It is basically the same material but it sticks better than salt. Under the right conditions it sticks to the road. Under the wrong conditions it doesn't and it gets picked up by vehicles.

Kyle asked if the highway crew would flip between brine and rock salt depending on weather. Brian said that would be the idea. We will have road temperature sensors on the new truck. Brine would be used under its best temperature range, salt under its best range and sand under its best range.

Eric said if he had to vote tonight, he thinks he would vote against it. He would like to hear what the compelling arguments are supporting the use of brine.

Doug said he wonders if there is a difference in utility between gravel and asphalt and he wonders about the coordination between use of brine, salt and sand and if there are any storage issues

Nat said a lot of the information out there about brine has been put out by the industry.

Beth Foy said when she commutes to her job she sometimes finds herself following state trucks that are dumping brine or rock salt and she will never believe that brine works as well or better than rock salt. She feels it is much scarier following a truck dumping brine than a truck dumping salt. It is to the benefit of companies selling trucks if trucks rust earlier. It is to Clark's advantage if our trucks rust out earlier. She is not saying that is why they might push a brine attachment, but if she were them maybe she would do that.

Kyle asked what Beth meant about it being scary to be behind a brine truck. Beth said brine makes the surface icy/slushy. It is a weird sensation, in between melting and solid. It is difficult to control your vehicle. She would rather drive on a really icy road because she knows what to expect.

Greg Tatro said his company has experience with brine. It gets into brake drums, cans and wiring harnesses of their trucks and trailers. They didn't see anything like that until they started using brine. They have tried to influence people to eliminate brine use in the state. Rock salt has some grip. Brine is liquid and turns the surface slushy. It is definitely harder on cars. They have seen that in their business. He would recommend not using brine here. Do we have enough pavement in the town to really make it worthwhile anyway?

Scott said there was a study indicating that brine increases rust and corrosion. He hasn't read it. He could look it up and send it to Brian. He has a couple of mechanic friends who say that

this time of year their backs and eyes get burned from the stuff on cars. We should also think about this from the standpoint of employee health and not forget about our mechanics.

Mike moved not to use brine in the Town of Johnson. The motion died for lack of a second. Doug said this was not on our agenda. Kyle said she would like more information before voting. Nat said he feels the same way. He would like to hear from our highway workers.

**6. *Sheriff Roger Marcoux to Review Annual Budgets and Priorities***

Roger Marcoux joined the meeting at 7:29. He said he sent two budgets to the town. First he discussed the patrol budget. He said the Lamoille County Sheriff's Department (LCSD) got a community oriented policing grant that would fund an entry level deputy to bring patrol staff up to 7 people plus the detective. The way these grants work is that 75% of the cost of the position is paid for the first year, 50% in the second year, 25% in the third year and then in the fourth year the department is required to completely fund the position. He presented one version of the budget with that position in and also one without that person. There is a committee that has been meeting in the summers to talk about the budget. The group didn't meet this year because of COVID and because last year LCSD and the committee agreed that for the next 3 years LCSD would cap the budget increase at 3% each year and the boards accepted that. The patrol budget would have gone up 4.29% in a normal year and the salary item would have gone up 5%. A big increase this year was retirement, which went up about 40%. LCSD is still capping the budget at 3%, as agreed upon. The budget went up to \$1,254,000, if you include the \$40K cruiser. The assessment for Johnson last year was a hunt was \$481K. It is increasing to \$496K. The sheriff's department is contributing \$40K for the cruiser.

LCSD just lost two people from patrol in the last 2 months. They will be filling one position in about a week. As usual they are having a difficult time holding on to the people they have. With the added position the total for the budget would be \$1,324,000 as opposed to \$1,254,000. The two common reasons that LCSD keeps losing people are retirement and that people don't want to work alone. At exit interviews Roger has found that people are often going to situations where they will be working on teams. He has asked to meet with chair of the Senates Appropriations and Government Operations Committees and he is hoping Senator Westman will be able to be there too. It is becoming clear that he will never get the support of Beth Pearce.

Eric asked Roger if it is correct that what he is requesting regarding the retirement benefit doesn't cost the state anything, he is just asking the state to allow his deputies to be part of the system. Roger said yes. State statute says sheriff's deputies are allowed in the state retirement system as long as sheriff's departments pay the cost.

Roger said there is a 6.47% decrease in the communications budget. Last year there was a 3.35% decrease. For Johnson there will be a decrease of 3.13% or \$2,277, bringing Johnson's amount to \$70,521. Brian said the version of the budget he saw had \$68,115 for this year. Roger said he will follow up on that but there will be a decrease for Johnson of 3% or more.

Eric asked for some of the reasons for the decrease. Roger said last year a long time employee retired and this year another one is retiring. The retirements are a significant driver

of the decrease. There is a high likelihood that the state administration will recommend that the entire E-911 operation be put under the Department of Public Safety. It is now controlled by a board with representatives from EMS, fire, sheriff's departments, etc. It is likely that the legislature will create an Agency of Public Safety and 911 will be put under it and the board will probably be advisory in nature. LCSD receives about \$90K a year as a stipend to help them answer 911 calls. If they were to lose that money it would cost them a position and would eliminate them from being the primary 911 call takers.

Kyle asked if it is right that there is also a decrease in the patrol budget. Roger said what was agreed on last year is that for the next three years the towns would see no more than a 3% increase. The increase for this year was 4.15% and the sheriff's department will manage the amount over 3% so the town will only see a 3% increase. Kyle asked, the department would be eating that, but we wouldn't be losing any coverage? We would have normal service? Roger said the town will not be losing any service. This causes the sheriff's department to be as efficient as possible. The thinking behind this was to try to give the committee that is meeting a chance to take a look at what the future of law enforcement for the towns will look like.

Kyle said we have talked about ways to improve recruitment and also have talked about the role social workers could play. Roger said the sheriff's department works hand in hand with social workers but they need to keep them safe in what are sometimes pretty volatile situations.

Doug asked if the detective is part of the patrol budget. Rodger said yes. Doug asked how he would assess the effectiveness of the detective. Roger said he thinks the detective is one of the busier people in patrol, particularly with the amount of sexual assault investigations, particularly with young people. He thinks we would have a difficult time continuing on without that position. Nat said the statistics from past years have been startling and disturbing. The detective has been spending a lot of time on investigations that have to do with sexual abuse. Roger said he had anticipated that the detective would be spending more time on things like burglaries, fraud, or drug investigations but the state did away with the grant that used to help pay for a dedicated detective working out of the state's attorney's office so now all towns are expected to investigate sexual assault cases in their jurisdiction.

Beth Foy said Roger had mentioned that statute allows sheriff's deputies to go into the state retirement plan if the sheriff's department pays for it. Are there other county sheriff's departments that are doing that or is LCSD the first that is trying to? Roger said the statute says they are allowed into the state retirement system as long as they pay the associated costs. Around 2004 or 2005 they entered into the retirement system in a 30-year plan. The problem with that is that the towns of Stowe and Morristown, state agencies, and every law enforcement department in the state except six sheriff's departments had the option of going to a 20-year plan. Lamoille County and maybe five or six other sheriff's departments were told they could not move from the 30-year plan. Some sheriff's departments are in the Vermont Municipal Employees' Retirement System and exactly the same plans are available to Stowe and Morristown. He doesn't know how it happened that some are in the municipal plan and some are in the state plan. LCSD is trying to rectify that. It is hard to keep people

when they are being lured away by 20-year plans. Beth asked if there is a cost benefit to moving to a 20-year plan or if it is an employee benefit. What is LCSD looking to gain? Roger said it is a benefit for employees. They have to pay a little more, but it is very popular. Beth asked, it doesn't affect the town except to encourage better retention? Roger said he will be able to answer that more accurately once a cost study is done.

Nat said the county tax is going up due to the Hyde Park sewer upgrade. That appears not to impact these sheriff's department budgets that much. Roger said he is sure it will have an impact. Their plan is to absorb as much as possible through the county budget and the administrative budget. But it is a significant increase. He thinks the sheriff's portion of the county budget went from \$1,000 to \$18,000.

Roger said there has been some recent success with drug investigations in Johnson. There have been a lot of people coming in from out of state. There was quite an issue on St. Johns Street. They made an arrest there. That is still one of their priorities. Other than that, he doesn't see any major issues. They are still working hard to investigate the arsons that have been occurring. If it continues to happen, offering a reward for information will be the next step.

**7. *Legislative Delegation to Review Annual Legislative Priorities***

Eric said he had sent out an email to the legislators with some of the things that are on the top of his mind and in addition he would like them to discuss the shortfall in the state budget and how this may impact NVU, how COVID-19 relates to town meeting day and stormwater regulations we have to implement. A cost study that was done by LCPC indicates that the cost of compliance with the stormwater regulations would be 3/4 of a million dollars and if we back out what we are likely to get for the Scribner Bridge project still over half a million dollars. That is a lot for the Town of Johnson.

Sen. Rich Westman said he sent out an email to Eric and Brian with information about town meeting day. Tomorrow the joint fiscal committee meets. They have been asked to appropriate a million and a half dollars for towns to be able to apply to the Secretary of State's office for money to mail Australian ballots. He thinks there will be bills within the first 10 days of the session that will give towns that are interested the ability to move town meeting date from March 2.

Rich said it will be a difficult year for NVU. Based on preliminary information he has seen from the joint fiscal office the appropriation for higher education in the second round of COVID money was about \$34 million. It is disappointing to him that the amount is so small. The projected state deficit is about \$100 to \$150 million. There is very little room to move in the state budget without help from the federal government. The state college system has said they need \$40 million this winter to stay solvent. When the federal government only sent \$34 million, we could send all of that to state colleges, not recognizing the needs of any of the other players such as VSAC or UVM, and still not have enough to deal with the issues at the state colleges. He hopes the federal government comes up with more money in the next few months. Communities like Johnson need to remain vigilant about pushing their support for NVU. As a graduate from there, keeping NVU healthy is his biggest concern. It is the most important issue in this county as far as he is concerned.

Rep. Dan Noyes said there are a lot of competing voices for the federal money that is coming in and the state money we already have. With the federal money coming in, the state has seen an increase in revenues. We don't know what the deficit is going to be yet. He is interested in what NVU funding looks like. In the past the majority of Appropriations Committee members have been from rural Vermont and he hopes that continues. He thinks it is important to have that representation on the committee. A bill he is working on deals with how older Vermonters get nutrition services from Meals on Wheels. He wants to make sure we are doing the best we can to get adequate nutrition out through Meals on Wheels and that Meals on Wheels has adequate money. He is also working on recovery housing legislation to make sure home and community based providers are adequately funded. Internet issues will also be high on the list.

Rep. Kate Donnally said the town meeting day bill is the top immediate priority in the house. She sent a draft to Eric and the town clerk. The legislature is trying to be as flexible as possible and they are open to input. Board members should reach out if there is anything the town is in need of. This has been an intense year for municipal governments. She has a huge amount of gratitude for selectboard members and village trustees. She has heard in every conversation she has had in the community what a challenging year this has been. Board members keep coming back and doing this work and she commends them for that. She heard a lot during her campaign how overburdened people feel. She wants to be available if board members feel anything can be done on the state level to support the board.

Doug said he is on the Lamoille FiberNet CUD executive committee. There is no overall plan on how to bring in broadband to the last mile in Vermont. He suggests that the state invest in CUDs and investigate how to lock up turf for them or broadband will not go to the last mile. His understanding is that Vermont Electric Coop is the utility that is the least cooperative with bringing broadband to our rural communities.

Dan said the state has to reapply for a Medicaid waiver for Medicaid funding at the state level. One thing being discussed is how we find out if we are allowed to let older Vermonters on Medicaid or social security use those dollars to pay for internet connections for companionship and telemedicine. That would increase uptake in rural areas. It is another source of funding we might be able to use.

Doug said the state needs to fund building capacity and CUDs. Otherwise there will be a race to be first in. If we don't build capacity as well as make it advantageous for a CUD to be here we won't have our rural areas built up. Kate said she shares his concerns. With COVID needs there can be a rush to funnel money into short-term solutions. She wants to advocate putting money into long-term solutions. At this point CUDs are the long-term solution in Vermont.

Nat said he sent each of the legislators an email last week about the widespread sexual abuse in Vermont state prisons perpetrated by employees. That is deeply disturbing on a human level and also a municipal level. The system makes people's problems worse and drives them down more. He thanked Dan and Kate for their thoughtful replies. He has a question about PILOT funding. Is it possible for us to keep track of revenues from the local option tax so we

can have a better idea of what to expect going into the next budget year? If during the pandemic people are buying more things online and going into Williston less, the state is losing out on local option tax. He is expecting revenues to drop. Maybe it is worth thinking about adding in a 1% tax on online sales to recover some of that revenue.

Rich said it is a very recent phenomenon that we are getting any tax from online companies. It has been a struggle to get them to pay. It took nearly a 12-year court battle. He would totally be in favor of adding 1% to online companies' tax but it is a difficult battle to take them on.

Nat asked how we get into tracking the local option tax. Rich said state economists come up with projections twice a year that include local option tax. He can get those estimates and maybe that would be helpful.

Rich said the sexual abuse in prisons is appalling. They have a high vacancy rate in corrections. They are having a hard time finding guards to work. Leadership in corrections is under fire. He agrees that what Nat talked about cannot happen. He thinks people in corrections are trying, but their vacancy rates are appalling and they have huge budget holes.

Kate said she will be meeting with the corrections committee and advocates toward the end of January to talk about what their priorities have been and what they are looking toward.

Rich said ultimately it will come down to a budget issue, because of the shortfall and the lack of people who want to work in corrections. Dan said we have been investing more in diversion programs to keep people out of corrections. Rich said we have cut the number of people in corrections facilities by a third in the last seven or eight years.

Kyle said she personally has been dealing with Vermont Health Connect and the absolute dysfunction of that system since she moved to Vermont. It has been a complete nightmare. She is hoping that some attention will be put on that. We all deserve healthcare and it is very difficult to get it here in Vermont. Right now her family is facing not having healthcare for the entire next year due to a glitch in the system that they weren't made aware of until the grace period was over. She is looking at private insurance and when she talks to people about it they say, "You must be calling from Vermont. We get a lot of these calls." The reputation of Vermont Health Connect is that it is not working well.

Kate said she empathizes with Kyle's experience. She is not alone. Kate has scheduled a meeting with a healthcare advocate and can follow up with Kyle more after that conversation.

Beth Foy said alcohol is really cheap and it is a problem in our area. An alcohol tax would not hurt anyone. It may make some people mad but they will still buy their alcohol. She said high speed internet is a huge equity problem. Vermont Electric Coop was the solution to the same problem years ago. She would hope they would be more willing to be the solution to the problem now. Regarding NVU, she gets that \$40 million is a lot of money but in the big scheme it is not a lot of money. Our state is aging and we need to bring young people into the

state. We can do it by having college systems that will support them. They may not all stay, but some will. If we don't bring young people into the state the problems we have now will get worse. She hopes anyone making financial decisions around the state college system understands that. It is about the future of the State of Vermont. She hopes everyone in Vermont is thinking that way.

Doug said he agrees with Beth. Broadband will bring in young families for remote working. Two strong economic tools in the area are broadband and NVU.

Rich said in the federal bill that just passed we would have hoped for more funds for higher education and it also seems that for broadband all they are sending is money for hookups for low-income people in areas where fiber is already running past their house. Our largest revenue source is income tax and due to the situation of the state all through 2020 we will not have the revenues in April that we would all hope for. We are at a loss to help everyone without federal help. He hopes towns like Johnson are clear with their congressional delegation in Washington that we need more money for broadband and education.

Greg Tatro said he has been working with LEDC quite a bit. They are going to work on a more friendly business environment in the state. Vermont's economy has been pretty stagnant for quite some time and COVID just makes it worse. He feels like people won't come to the state until we welcome businesses, make it easier for them to come here and make it easier to get an Act 250 permit. We will continue to lose young people because our rents are so high and pay is so low. He doesn't see how our economy changes until we make this a more business friendly state and make Act 250 easier to work through.

Dan said in the last session there was some discussion on Act 250 in the natural resources committee and in the house. They didn't get very far with it. He is not sure what they will be taking up this session. He and Greg came up with some ideas to help towns and village centers. Kate said there seem to be a growing contingent of people pushing for Act 250 reform. Rich said he is not very hopeful that there will be overall reform. The Scott administration put together a package last year that didn't get through the legislature. One area he would hope there would be progress would be transportation. If we can't get a whole package around Act 250 he would concentrate efforts on making it so replacement of an existing bridge in the present footprint does not have to go through Act 250.

Doug said he knows of three young families trying to buy houses in Johnson at different price ranges. They cannot find housing here. You can't move here if you want to.

#### **8. *Received Petition Requests***

Brian said no petition requests have been received. The selectboard is waiving the requirement for signatures but petitions must still be delivered by the close of business on January 14. The selectboard will be able to take up any petitions at its meeting the following Monday and get them published on the ballot and in the town report.

Eric suggested posting on Front Porch Forum and elsewhere to let people know about the deadline. Kyle agreed that communication is important.

Kyle said it was her understanding that unless a petition is completely outrageous the selectboard is going to basically okay anything that comes in. Brian said that was his understanding from the board's previous vote. The selectboard was pledging to take up petitions relevant to town business that are not hateful. Eric agreed that was his understanding.

Eric asked, consent forms for those who want to run for office need to be in by January 25? Brian said that is right. Eric asked what the deadline is for going to the printers. Rosemary said it needs to be at the publisher's February 1.

**9. *Review and Adopt Social Media Policy***

Brian said we have solicited opinions and gotten feedback from different volunteer committees and have had board discussions. This draft incorporates as much of that input as possible. He has further updates that were suggested today. Does the board want to move ahead with it?

Nat said he would support the draft that was presented. Mike said he would too.

Kyle asked, this is a policy just for the municipal Facebook pages, not for private pages? Brian said yes. The intention behind it is to spell out that you should only conduct official business through official channels. You are free to put what you want on your personal page but you shouldn't use your personal page to sometimes convey official information and sometimes personal opinions. Kyle asked, for example if she wanted to let people know about this meeting, the way the policy is written, if Brian posted a notice about it on the town page would it be okay for her to share it on her personal page? Brian said yes. Kyle said it wasn't totally clear to her where the line is in the policy. Brian said it is easier to give examples of things that are definitely not okay. In that example the initial post was made to the town Facebook page because it was official information. He would be in violation of the policy if he posted it to his personal page instead of the town page. He could post it to his personal page in addition to that, but his personal page is not a substitute for official town communications. Official communications have to go through official channels. Kyle asked, what if she went to the town website and got a link and put it on her personal web page? Brian said that would be okay. You can communicate whatever you want on your personal page. It is really the goal that personal pages not substitute for official pages.

Brian said he had a conversation with Doug and he made some changes based on that. He showed on the screen what was changed. In Section 4 they changed some language. The intent of the language is that someone could not represent their personal account as the official channel for receiving official information. There is language about municipal officials posting their personal positions. Doug had suggested that they could do that if they identified that it was their personal position. Brian had suggested that it could just be stated that there was a presumption that it was their personal opinion.

Doug said he thought we should state affirmatively that you can state your personal position but should identify it as not the town's position. He thought that there was pressure on officials preventing them from stating what a citizen could state. He doesn't think that we give up our right to say what our position is. Kyle agreed.

Eric said he thinks this policy works fine for all selectboard members but this will apply to all town commissions, committees and boards. Almost all of them have all their correspondence and official business done via their personal email. He is wondering how that would play into this. Brian said this is really about social media and doesn't apply to email. If we are willing to pay for it, we can create more email accounts for volunteers.

Eric said the Historical Society has its own Facebook page. Would this policy apply to that? Brian said yes.

Eric asked how much it costs to get an email account. Brian said he thinks it is a couple of dollars a month. Mike said selectboard members have town accounts because with the Freedom of Information Act if they have correspondence on their personal email and they are subpoenaed their personal email could be put under scrutiny. If it is only a couple of dollars per email address he thinks everyone on a committee should have their own town email account because of the Freedom of Information Act. Nat said that might be worth considering. It is a separate subject from this policy.

Doug said he thinks one reason for a policy like this is to exert some pressure or take on some responsibility for what can be posted and stay on our pages. He thinks we want to control some of the discussion and there are certain things we don't want to appear on our pages. He thinks posts should be discussing town business and not casting aspersions on people.

Nat asked if we need to expand the list of town sites. Brian said we will need to add others. The list currently in the policy is not a comprehensive list.

Nat said he agrees with the changes Brian showed that Doug had suggested.

Section 6 is about what comments we allow to appear on our page. Kyle said her question is who draws that line. Brian said this policy creates a title of municipal social media monitor. The board will have to name someone to fill that role. Eric asked, would this person police all town sites, such as those from the library, Historical Society, etc? Brian said he imagines the selectboard would put one person in charge of all town sites and people would operate on their behalf on individual committee pages. Doug asked if Brian thinks we will have the people capacity to do this. Brian said we don't have a lot of traffic or comments on our pages. He thinks we can manage it.

Kyle said she thinks the committees that have active Facebook pages are already doing a great job of managing them. She doesn't think there have been problems. There may have been more on the town's Facebook page. Some of the things we have posted on the town page she thinks would not have been allowed under this policy. The post that brought this whole idea of a social media policy to the forefront was an article about a specific business. The policy says the Facebook page shouldn't be about promoting specific businesses, politics or anything with hate or racist content. Brian said the policy says posts should be relevant, accurate and appropriate and it lists some things that are and are not appropriate.

Doug asked about enforcement against municipal officials. Brian said we struck “elected officials” from that language because there really is no enforcement ability for elected officials. He changed the language to refer to misusing official social media accounts and information. Your personal social media use is irrelevant for disciplinary action. Doug said it might fall under the employment guidelines however. Brian said yes, on your personal page you could violate our personnel policy. But you would have to misuse official social media to violate the social media policy.

**Nat moved and Doug seconded to adopt the social media policy as presented with the highlighted yellow additions.** Doug asked, the assumption would be that we are going to add other sites like the Historical Society page? Eric said he would take that as the intent of the motion.

Mike said he thinks he would leave in the reference to discipline for elected officials. Even though they can't be forced to resign they could be subject to public or private admonishment. Nat said he could go either way on that. Mike said if he did something egregious he should take his licks like anyone else. He doesn't feel we should put other people under higher standards than we put ourselves under. Nat said he doesn't disagree but he is indifferent because he thinks we have no teeth. Eric said this doesn't affect any citizen. They can post on the town Facebook page and this doesn't address that. Doug said board members can state their opinion about another board member's actions even if there is no language about admonishment in the policy.

Lois Frey asked if anyone has looked at the employee time that will be used to implement this for the social media moderator or other positions written into the policy. Eric said Brian had indicated he thought it would be a minimal amount of time. Brian said he thinks for the most part this reflects what he is already doing with the town's account and what Lisa Crews is doing with the Johnson Recreation account. It reflects current practice for the most part. It will help give us a framework of how to deal with it if there is a problem but he doesn't think it will add time that is not already being used. Lois asked how much time Brian is using on this. Brian said he probably spends about two or three hours a week dealing with social media – posting notices, keeping track of when people message the town account, keeping track of mentions on social media, etc. He doesn't think this policy will create more of that work. In the past we have gotten comments on the Facebook page that we thought were inappropriate but we didn't really have the tools to deal with them.

Rick Aupperlee asked how this would apply to the Racial Justice Committee since it is a joint committee of the town and village. Brian said he thinks it would only strictly apply to the town's appointees on the Racial Justice Committee and village appointees would have to abide by the village's policies.

Rick asked how we interpret where the line is when a person expresses an opinion which some might find contentious and others might find offensive. As the Racial Justice Committee evolves, it might get reactionary comments. How would the policy apply? Brian said he thinks the policy would help the Racial Justice Committee deal with those issues. The

policy lays out some examples of things it would be appropriate to remove from comments because they are disruptive or repetitive. Comments that are disruptive to the functioning of the committee can be removed. Without a stated policy it is harder to remove things that are not clearly hate speech.

Rick said there is reference to political speech in the policy. Where would something like Black Lives Matter fit? It is interpreted as political speech by some but the federal government recognizes that it is not political. Brian said that would be a question we would have to raise and deal with. We will run into differences of opinion about what is personal opinion and what is political content and we will have to make decisions.

Jackie Stanton asked if one person will be designated to manage the pages or if the responsibility will be shared. Brian said that is up to each committee. He thinks committees would continue to manage their own pages. Jackie said she has noticed that some groups are more responsive than others to questions or comments. Are there expectations for those managing the pages about responding? Brian said there currently are not

**The motion was passed.**

**10. Budget Review**

Eric said doing budget discussion and review over Zoom seems impossible to him. He asked the board's thoughts about meeting in the municipal building while keeping socially distanced, broadcasting the meeting on Zoom and trying to go through the budget in the normal way with social distancing and masks.

Mike said he thinks that is a great idea. Doug said he will not attend in person. Nat said he is not really excited about either option. He doesn't want to participate in an in-person group activity but he finds it difficult to picture how the board would review the budget by Zoom. He would be willing to do it in person, but he would definitely want Scott's input. Kyle said she doesn't know if it would be difficult to review the budget over Zoom. She thinks if she had a hard copy it would not be that difficult. Nat said having a hard copy in front of him would make all the difference. Doug said he thinks the difficulty with Zoom is public involvement. The public has a right to be heard. He agrees with Kyle that it would be helpful if the board had hard copies, but sometimes Brian makes changes during the meeting. He thinks board members are better off thinking about their responsibility for their own health.

Eric asked Scott Meyer's thoughts. Scott said we have cases in Johnson. The case rate is high in this area. The new variant that is in three states but hopefully won't come to Vermont for a bit is concerning. He has said in the past that you base decisions on risk. If you don't want risk, you don't do the activity. If there is need to do the activity, you mitigate the risk. He thinks the board could probably pull off meeting upstairs with a little planning. There would still be risk but it would be reduced. He asked if we got HEPA filters for the municipal building. Brian said he thinks so. Alliance has been in and he has a completed work order from them. We would have needed a complete overhaul of our system to accommodate the highest rated filters but we got the highest rated we could fit and some sources indicated that would be enough. Scott said it is up to the board. Probably we could figure out ways to reduce the risk. He would want to see temperature checks for anyone going into the room.

Nat said we are setting an example and we have been tough on community groups that have asked to meet in that room. He thinks it will be tougher to review the budget on Zoom but a lot of things are tougher during the pandemic and people are figuring out how to do them. He thinks as leaders we should do that.

Eric asked if the board wants to give it a try on Zoom with paper copies and see if we can make it work and if not go to Plan B. The board agreed. Brian said board members can make arrangements to pick up paper copies at the office. Members of the public that want copies can make arrangements with him too. He expects that people who are not municipal officials will probably need to pay the printing rate. He suggested Wednesday, January 13 as a meeting date.

Nat said public comment could make the conversations much longer. He wants people to have their say but if we have 20 people at each budget meeting giving them an opportunity to talk about each line item could make for a really prolonged process. Eric said probably he would just keep comments to board members until the very end since it would just be a working meeting. The board won't finalize the budget that night. He wouldn't plan to recognize the public to comment on each line item. Mike said we have had a lot of budget meetings with no one here but the board.

Beth said she often discusses the budget with her boss. There are really good tools in Zoom that probably should not be open to the public but it would be worth making sure selectboard members know how to use them, like highlights and pointers. She finds that having two monitors really matters. She has one where she looks at people and another where she does work. It might be worth borrowing a monitor from someone. She personally hates printouts and wants everything in a spreadsheet because then she can do quick calculations. For people familiar with spreadsheets it might be easier to have the information in that format. Brian said he can provide either.

It was agreed to save looking at the budget draft for the next meeting.

### ***11. Merger Study Update***

Brian said the ball is in our court currently. He wants to reaffirm that we are not contesting the changes the village has requested and are not asking for any changes to be made to the town's data in the chart on p. 6. The village wanted changes to their data in that chart and Kent asked us to affirm that the town does not want any changes. There is nothing on p. 6 that the selectboard had asked to make changes on. The village had asked for changes to the village data in that table and the town did not ask for any changes. Kent suggested deleting the table but Meredith said that was not what the village approved. Brian wants to reaffirm that we are not requesting any changes to that table other than what the village has requested.

Doug said he can't agree without having it in front of the board because there were some things the village asked us to agree to and we said no. Brian said he is just asking for the changes we agreed to and not any additional changes. Kent's comment was that the town did not include any new data for p. 6 and he was confused. On p. 6 the village had requested changes that we agreed to. We agreed to the changes they wanted but didn't make any of our

own. Eric asked, Kent's question is reaffirming that we don't want any changes on p. 6? Brian said yes.

Eric asked if Kent is going to provide a report so we can have it go out to the voters. Brian believes so. Eric said we need to make it clear that we want to put it out for the voters to vote on at town meeting.

Mike said we didn't agree on all the village changes. Brian said we did agree on the changes they requested to this section.

The board agreed that no changes are needed other than what we already requested.

Nat said voters should have at least 3 weeks to read this. Eric said it should be in the town report. Other board members agreed.

***12. Executive Session to Discuss Employee Evaluation***

**Mike moved to go into executive session for employee evaluation as allowed by 1 V.S.A. § 313(a)(3), inviting Brian and Rosemary to remain, Nat seconded, the motion was passed and the board entered executive session at 9:58.** The board came out of executive session at 10:08.

**Nat moved to remove Jayson Hill from the position of animal control officer and town constable effective immediately on the grounds that he has no valid driver's license and failed to obtain one within the period allowed, Kyle seconded and the motion was passed.**

***13. Adjourn***

The meeting was adjourned at 10:09.

*Minutes submitted by Donna Griffiths*